

# S H E A / B A K E R   R A N C H

## Appendix A – Conditions of Approval for Area Plan 2-11-1732 and Tentative Tract Map 16466

(This Appendix A is provided for informational and reference purposes only and is not a substantive part of the Area Plan. Revisions to the Conditions of Approval included herein shall not necessitate modification of the Area Plan and this Appendix A may be updated at any time such revisions occur.)

**Resolution No. 2012-35**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING AREA PLAN 2-11-1732 FOR THE SHEA / BAKER RANCH DEVELOPMENT, LOCATED IN THE NORTHWESTERN PORTION OF THE CITY OF LAKE FOREST AND BOUND BY THE BORREGO CANYON WASH TO THE WEST, COMMERCENTRE DRIVE TO THE SOUTH, BAKE PARKWAY TO THE SOUTHEAST, AND RANCHO PARKWAY TO THE NORTH. (ASSESSOR'S PARCEL NUMBERS 610-421-07 through 09; 610-422-01; 610-431-01 through 12; 410-432-01 through 17; 612-132-01 and 612-134-05)**

WHEREAS, on February 16, 2011, Shea / Baker Ranch Associates, applicant and property owner, filed applications for approval of a Tentative Tract Map and Area Plan for the development of a 386.8-acre site ("Property") located in the northwestern portion of the City of Lake Forest and bound by the Borrego Canyon Wash to the west, Commercentre Drive to the south, Bake Parkway to the southeast, and Rancho Parkway to the north ("Project"); and

WHEREAS, the Property was part of the City of Lake Forest Opportunities Study, which amended the General Plan and rezoned five properties previously included in the 65 dB CNEL Noise Contour depicted in the Airport Environs Land Use Plan as it existed prior to 2005, to allow for residential development; and

WHEREAS, on June 3, 2008, the City Council certified a Program Environmental Impact Report (SCH # 2004071039), and adopted a Mitigation Monitoring Program and Statement of Overriding Considerations for the Opportunities Study Area ("OSA PEIR"); and

WHEREAS, on July 6, 2010, the City adopted an Addendum to the OSA PEIR for the General Plan Amendment and Zone Change for the Shea / Baker Ranch site that was consistent with the previously analyzed OSA PEIR; and

WHEREAS, the City Council approved General Plan Amendment 5-10-1233, which changed the General Plan Designation for the project site from Business Park to Low, Low-Medium, and Medium Density Residential and Mixed Use, and became effective on October 20, 2010; and

WHEREAS, the City Council approved Zone Change 5-10-1234, which changed the zoning for the project site from Urban Activity to Residential and Mixed Use, and became effective on October 20, 2010; and

WHEREAS, on July 20, 2010, the City Council adopted an ordinance approving a development agreement (recorded on October 20, 2010 by the Orange County Clerk as document number 2010000551280) between the City of Lake Forest and Shea / Baker Ranch Associates, LLC ("Development Agreement") for the development of the Property; and

WHEREAS, section 8.5.1 of the Development Agreement requires that an area plan (as part of the "First Tentative Map Submittal Package") be approved in conjunction with approval of the Tentative Tract Map for the Property, to guide the development of the Project; and

WHEREAS, Area Plan 2-11-1732 is intended to satisfy the aforementioned Development Agreement requirement, and guide the development of the Project; and

WHEREAS, on March 30, 2012, the City gave public notice of the public hearing on Area Plan 2-11-1732 and Tentative Tract Map 16466 by advertisement in a newspaper of general circulation, posted the public notice at City Hall and the El Toro and Foothill Ranch branches of the public library, and mailed the notice to all property owners within 300 feet of the project boundary; and

WHEREAS, on April 12, 2012, the Planning Commission conducted a duly-noticed public hearing to consider Area Plan 2-11-1732 and Tentative Tract Map 16466, and the Draft Supplemental Environmental Impact Report for the Project ("DSEIR"), at which time interested persons had opportunities to testify in support of or against, and the Planning Commission had opportunities to consider Area Plan 2-11-1732, Tentative Tract Map 16466, and the DSEIR; and

WHEREAS, on April 12, 2012, the Planning Commission, after carefully considering all pertinent testimony and the staff report offered in the case as presented at the public hearing, adopted resolutions recommending that the City Council approve Area Plan 2-11-1732 and Tentative Tract Map 16466; and

WHEREAS, on May 4, 2012, the City gave public notice of the public hearing on Area Plan 2-11-1732 and Tentative Tract Map 16466 by advertisement in a newspaper of general circulation, posted the public notice at City Hall and the El Toro and Foothill Ranch branches of the public library, and mailed the notice to all property owners within 300 feet of the project boundary; and

WHEREAS, on May 15, 2012, the City Council conducted a duly-noticed

public hearing to consider Area Plan 2-11-1732 and Tentative Tract Map 16466, and the Environmental Impact Report for the Project ("EIR"), at which hearing members of the public were afforded an opportunity to comment upon Area Plan 2-11-1732; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE FOREST DOES RESOLVE, DETERMINE, FIND AND ORDER AS FOLLOWS:

SECTION 1. FINDINGS. Based on consideration of the entire record before it, the Lake Forest City Council hereby finds as follows:

1. General Plan: The project proposed is consistent with the General Plan.

*The site has General Plan land use designations of Low, Low-Medium, and Medium Density Residential, allowing for development of 2-7 dwelling units per acre, 7-15 dwelling units per acre, and 15-25 dwelling units per acre, respectively. A portion of the site is also designated Mixed-use, which allows for up to 43 dwelling units per acre. The Shea / Baker Ranch Area Plan proposed development scenarios are within the designated densities and are therefore, consistent with the General Plan land use designation.*

*The Area Plan is consistent with numerous policies within the General Plan, including Goal 3.0 and Policies 3.1, 3.2, and 3.3, which generally recommend that new developments be compatible with the community and that developments fit within their settings and ensure that necessary services can be provided. The Area Plan is a framework for the implementation of the applicable General Plan policies. The Area Plan contains a community vision statement, design guidelines, and policies which guide the growth of the project site in a manner which is consistent with the General Plan.*

2. Zoning Code: The use, activity, or improvement(s) proposed by the application is consistent with the provisions of the Zoning Code and/or Planned Community Text.

*The project site is located within the Baker Ranch Planned Community and is therefore, governed by both the Zoning Ordinance and the Baker Ranch Planned Community Text. The Area Plan has been reviewed by City staff and found to be in compliance with the applicable zoning regulations in the Baker Ranch Planned Community Text, including building site size, site coverage, building setbacks, required parking, and landscaping. The proposed uses of the Shea / Baker Ranch project site are residential uses in*

*a variety of potential configurations, a mixed-use site, and open space and parks. These are permitted uses within the Planned Community Text. The Area Plan contains landscaping and residential design guidelines, development standards which are in addition to those required by the Planned Community Text.*

3. CEQA: The approval of the permit application is in compliance with the requirements of the California Environmental Quality Act.

*The requirements of the California Environmental Quality Act have been satisfied in that an Initial Study and Supplemental Environmental Impact Report was prepared for the Shea / Baker project, including the Area Plan and Tentative Tract Map, and the City Council has certified the Shea / Baker Supplemental EIR.*

4. Compatibility: The location, size, design and operating characteristics of the proposed use will not create significant noise, traffic, or other conditions or situations that may be objectionable, detrimental or incompatible with other permitted uses in the vicinity.

*The Area Plan includes provisions guiding the location, design, size, and operating characteristics of the future development in a manner that is consistent with the General Plan and will ensure that the future community will not cause negative noise, traffic, or other objectionable conditions. The Area Plan includes provisions for an on-site circulation system, such as streets and sidewalks, to be developed to the City standards. The Area Plan requires the use of Conditions, Covenants, and Restrictions (CC&Rs) to provide for maintenance of future common areas and regulations to guarantee a consistent quality of life.*

5. General Welfare: The application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.

*The Area Plan ensures that all future projects will be in compliance with all applicable State, County, and City design, building, and other safety related laws, codes, and regulations. The Area Plan reflects the policies of the General Plan and complies with the Municipal Code and Baker Ranch Planned Community Text, thereby establishing its consistency with City regulatory documents. The Area Plan contains numerous additional provisions to ensure that the future community does not create conditions or circumstances contrary to the public health and safety and the general welfare.*

6. Development Fees for Provision of Public Facilities: The permit would not allow development of a project which would contribute to the need for the facility for which a fee is required.

*Per the executed Development Agreement and applicable City and County regulations, the developer is required to pay development impact fees in conjunction with the project. Therefore, the fees associated with any facilities would be paid by the developer prior to issuance of building permits or as otherwise specified by the Development Agreement and/or conditions of approval.*

7. Design Guidelines: The project has been reviewed in accordance with Citywide Design Guidelines, and is consistent with the purpose and intent of the guidelines.

*The Citywide Design Guidelines acknowledge that Opportunities Study Area project sites will be governed by design guidelines which have been included within a respective Area Plan for that site. The Shea / Baker Ranch Area Plan include architectural and landscape design guidelines which are consistent with the vision statement in the Citywide Design Guidelines and as such, will be implemented in a manner consistent with the purpose and intent of the guidelines.*

SECTION 2. Based on the Staff Report, all written and oral comments and testimony presented, and the aforementioned findings, the City Council hereby approves Area Plan 2-11-1732, subject to the following conditions:

**CONDITIONS OF APPROVAL  
AREA PLAN 2-11-1732, SHEA / BAKER RANCH**

**INDEMNIFICATION**

1. The applicant shall indemnify, protect, defend, and hold the City, and/or any of its officials, officers, employees, agents, departments, agencies, authorized volunteers, and instrumentalities thereof, harmless from any and all claims, demands, lawsuits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolution procedures (including, but not limited to arbitrations, mediations, and other such procedures), judgments, orders, and decisions (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, authorized volunteers, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul,

any action of, or any permit or approval issued by the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City) for or concerning the project, whether such Actions are brought under the Ralph M. Brown Act, California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Community Redevelopment Law, Code of Civil Procedure Sections 1085 or 1094.5, or any other federal, state, or local constitution, statute, law, ordinance, charter, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.

### **EXPIRATION**

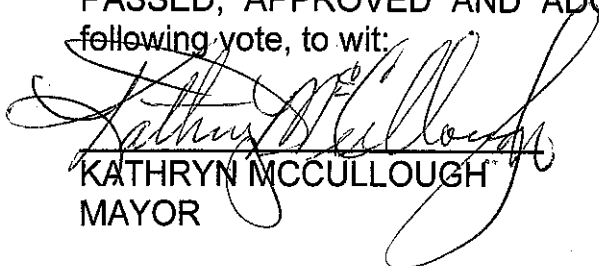
2. Area Plan 2-11-1732 shall expire in accordance with the recorded Development Agreement (recorded on October 20, 2010 by the Orange County Clerk as document number 2010000551280). (PLNG \_\_\_\_\_)

### **GENERAL**

3. Within five (5) business days of the approval of the project by the City Council, the applicant shall deliver to the Development Services Department a check payable to the County Clerk, in the amount of fifty dollars (\$50.00) for the County administrative filing fee, to enable the City to file the Notice of Determination required under Public Resources Code Section 21152 and 14 Cal. Code of Regulations 15075. (PLNG\_\_\_\_\_)
4. The Area Plan shall be maintained in substantial compliance as that approved by the City Council on May 15th, 2012 and on file with the City of Lake Forest Development Services Department. Minor modifications or changes to the Area Plan shall be processed as stated within the Development Agreement or within the Area Plan. (PLNG \_\_\_\_\_)
5. The Area Plan shall be consistent in all respects with all terms and conditions of the Development Agreement.
6. The approval of this Area Plan permits the development of up to 2,379 units on the entirety of the Property.

7. Approval of this Area Plan shall not be interpreted to supplant or supersede, or to render inapplicable by omission of notice of non-compliance with, any provisions of the Development Agreement for the project.
8. The Planning Division processes discretionary applications on a deposit basis. Deposit funds are provided by applicants to cover the actual costs associated with staff time and resources utilized in processing an application. If, at any time, the cost to process the application exceeds the deposit on file, additional funds must be deposited by the applicant. A final accounting for this project will be prepared following the City Council's decision on the project and if needed, a request for additional funds will be provided to the applicant. Should additional funds be required, the applicant shall submit a check or money order, payable to the City of Lake Forest, for the additional funds within 30 days, or prior to issuance of any permits for the project, whichever is earlier. (PLNG \_\_\_\_\_)
9. The Area Plan is intended as a document to guide the growth of a geographical area. The Area Plan shall not supersede any portions of the Municipal Code or the Planned Community Text, unless the Municipal Code or the Planned Community Text permits exceptions. When there is a conflict between the Area Plan, the Planned Community Text and the Municipal Code, the more restrictive regulation shall prevail.
10. Development of the property detailed in the Area Plan is contingent upon the approval of Tentative Tract Map 16466 by the City Council.
11. Changes to the Area Plan, particularly Chapter 11, Public Facilities Phasing and Financing Plan, may necessitate changes to Tentative Tract Map 16466 and associated conditions. Whenever possible, changes to the Area Plan and TTM shall be processed concurrently. (PW/ENG \_\_\_\_\_)
12. The development of the property detailed in the Area Plan shall be in accordance with any and all conditions associated with Tentative Tract Map 16466, and any subsequent maps, and mitigation measures from the Shea / Baker Ranch Supplemental Environmental Impact Report (SCH#2004071039).

PASSED, APPROVED AND ADOPTED this 15th day of May, 2012 by the following vote, to wit:

  
KATHRYN MCCULLOUGH  
MAYOR



**Resolution No. \_\_\_\_\_**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING TENTATIVE TRACT MAP 16466 FOR THE SHEA / BAKER RANCH DEVELOPMENT, LOCATED IN THE NORTHWESTERN PORTION OF THE CITY OF LAKE FOREST AND BOUND BY THE BORREGO CANYON WASH TO THE WEST, COMMERCENTRE DRIVE TO THE SOUTH, BAKE PARKWAY TO THE SOUTHEAST, AND RANCHO PARKWAY TO THE NORTH. (ASSESSOR'S PARCEL NUMBERS 610-421-07 through 09; 610-422-01; 610-431-01 through 12; 410-432-01 through 17; 612-132-01 and 612-134-05)

WHEREAS, on February 16, 2011, Shea / Baker Ranch Associates, applicant and property owner, filed applications for approval of a Tentative Tract Map and an Area Plan for the development of a 386.8-acre site ("Property") located in the northwestern portion of the City of Lake Forest and bound by the Borrego Canyon Wash to the west, Commercentre Drive to the south, Bake Parkway to the southeast, and Rancho Parkway to the north ("Project"); and

WHEREAS, the Property was part of the City of Lake Forest Opportunities Study, which amended the General Plan and rezoned five properties previously included in the 65 dB CNEL Noise Contour depicted in the Airport Environs Land Use Plan as it existed prior to 2005, to allow for residential development; and

WHEREAS, on June 3, 2008, the City Council certified a Program Environmental Impact Report (SCH #2004071039), and adopted a Mitigation Monitoring Program and Statement of Overriding Considerations for the Opportunities Study Area ("OSA PEIR"); and

WHEREAS, on July 6, 2010, the City adopted an Addendum to the OSA PEIR for the General Plan Amendment (GPA 5-10-1233) and Zone Change (ZC 5-10-1234) for the Shea / Baker Ranch site that was consistent with the previously analyzed OSA PEIR; and

WHEREAS, the City Council approved General Plan Amendment 5-10-1233, which changed the General Plan Designation for the project site from Business Park to Low, Low-Medium, and Medium Density Residential and Mixed Use, and became effective on October 20, 2010; and

WHEREAS, the City Council approved Zone Change 5-10-1234, which changed the zoning for the project site from Urban Activity to Residential and Mixed Use, and became effective on October 20, 2010; and

WHEREAS, on July 20, 2010, the City Council adopted an ordinance approving a development agreement (recorded on October 20, 2010 by the Orange County Clerk as document number 2010000551280) between the City of Lake Forest and Shea / Baker Ranch Associates, LLC ("Development Agreement") for the development of the Property; and

WHEREAS, section 8.5.1 of the Development Agreement requires that an area plan (as part of the "First Tentative Map Submittal Package") be approved in conjunction with approval of the Tentative Tract Map for the Property, to guide the development of the Project; and

WHEREAS, Area Plan 2-11-1732 is intended to satisfy the aforementioned Development Agreement requirement, and guide the development of the Project; and

WHEREAS, Tentative Tract Map 16466 proposes the subdivision of the Property in accordance with the Planning Areas and future development described in the Area Plan; and

WHEREAS, Chapter 7.05 of the Lake Forest Municipal Code requires that the Planning Commission review all tentative tract maps, and section 8.5.3 of the Development Agreement requires the First Tentative Map for the Project to be approved by the City Council. In accordance with these requirements, the Planning Commission will review and provide a recommendation to the City Council; and

WHEREAS, on March 30, 2012, the City gave public notice of the public hearing on Area Plan 2-11-1732 and Tentative Tract Map 16466 by advertisement in a newspaper of general circulation, posted the public notice at City Hall and the El Toro and Foothill Ranch branches of the public library, and mailed the notice to all property owners within 300 feet of the project boundary; and

WHEREAS, on April 12, 2012, the Planning Commission conducted a duly-noticed public hearing to consider Area Plan 2-11-1732 and Tentative Tract Map 16466, and the Draft Supplemental Environmental Impact Report for the

Project SCH #2004071039 ("DSEIR"), at which time interested persons had opportunities to testify in support of or against, and the Planning Commission had opportunities to consider Area Plan 2-11-1732, Tentative Tract Map 16466, and the DSEIR; and

WHEREAS, the Planning Commission, after carefully considering all pertinent testimony and the staff report offered in the case as presented at the public hearing, adopted a resolution to recommend that the City Council approve Tentative Tract Map 16466; and

WHEREAS, on May 4, 2012, the City gave public notice of the City Council public hearing on Tentative Tract Map 16466 by advertisement in a newspaper of general circulation, posted the public notice at City Hall and the El Toro and Foothill Ranch branches of the public library, and mailed the notice to all property owners within 300 feet of the project boundary; and

WHEREAS, on May 15, 2012, the City Council conducted a duly-noticed public hearing to consider Tentative Tract Map 16466, and Area Plan 2-11-1732, and the Supplemental Environmental Impact Report for the Project, at which hearing members of the public were afforded an opportunity to comment upon Tentative Tract Map 16466.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE FOREST DOES RESOLVE, DETERMINE, FIND AND ORDER AS FOLLOWS:

SECTION 1. TENTATIVE TRACT MAP FINDINGS. Based on consideration of the entire record before it, the Lake Forest City Council hereby finds as follows:

1. The proposed map is consistent with the General Plan.

*The site has General Plan land use designations of Low, Low-Medium, and Medium Density Residential, allowing for development of 2-7 dwelling units per acre, 7-15 dwelling units per acre, and 15-25 dwelling units per acre, respectively. A portion of the site is also designated Mixed-use, which allows for up to 43 dwelling units per acre. The Shea / Baker Ranch Area Plan proposes development scenarios are within the designated densities and are therefore, consistent with the General Plan land use designation.*

*The Tentative Tract Map proposes 2,379 homes, within the range of a maximum of 2,815 homes permitted through the recorded Development Agreement and within the allowable density in the General Plan for the respective land use designations, as follows:*

- The homes proposed for the Low Density Residential designation are at 3.8 to 5.2 dwelling units per acre; land use designation is at 2 - 7 units per acre.*
- The homes proposed for the Low-Medium Density Residential land use designation are at 5.3 to 10.6 units per acre; land use designation is at 7-15 units per acre.*
- The homes proposed for the Medium Density Residential land use designation are at 7.2 to 15.6 units per acre; land use designation is at 7 to 15 units per acre.*

*All are within the permitted density ranges. Therefore, the proposed map is consistent with the General Plan.*

2. The design and improvement of the proposed subdivision is consistent with the General Plan.

*The design and improvement of the proposed development is consistent with the General Plan, including Goal 3.0 and Policies 3.1, 3.2, and 3.3, which generally recommend that new developments be compatible with the community, that developments fit within settings, that residential neighborhoods within Lake Forest are preserved and enhanced, and ensuring that necessary services can be provided.*

*The Area Plan is a framework for the implementation of the applicable General Plan policies. The Area Plan contains a community vision statement, development regulations, design guidelines, and policies which govern the project site in accordance with the General Plan policies. The Tentative Tract Map is consistent with the General Plan and implements the Area Plan, by providing for the development of required infrastructure, such as streets, water, sewer, and storm drainage, to serve the future Planning Areas. There are not existing adjacent residential areas that would be affected by the Project. Therefore, the Tentative Tract Map is consistent with the General Plan.*

3. The site is physically suitable for the proposed type of development.

*As addressed in the OSA PEIR and the grading plans submitted with the Tentative Tract Map, the geology and the physical characteristics of the site are able to accommodate the proposed number of lots, dwelling units, future streets, site landscaping, and open spaces while complying with all applicable development regulations, such as street widths, lot sizes, and requirements for parks in the City Subdivision and Zoning Ordinances, adopted street standards, and development standards in the Baker Ranch Planned Community Text.*

4. The requirements of the California Environmental Quality Act have been satisfied.

*The requirements of the California Environmental Quality Act have been satisfied in that a Modified Initial Study and Supplemental Environmental Impact Report were prepared for the Shea / Baker Ranch project, including the Area Plan and Tentative Tract Map, and the City Council has certify the Shea / Baker Ranch Supplemental EIR. As provided in Government Code Section 66474.01, the OSA PEIR identified certain impacts that could not be feasibly mitigated and the Planning Commission recommended the adoption of a Statement of Overriding Considerations as provided in Planning Commission Resolution No. 2012-05.*

5. The site is suitable for the proposed density of development.

*The approximately 387-acre site has General Plan land use designations of Low, Low-Medium, and Medium Density Residential, allowing for development of 2-7 dwelling units per acre, 7-15 dwelling units per acre, and 15-25 dwelling units per acre, respectively. A portion of the site is also designated Mixed-use, which allows for up to 43 dwelling units per acre. The Shea / Baker Ranch Area Plan proposes development scenarios are within the designated General Plan densities.*

*The Tentative Tract Map subdivides the project site in accordance with the development scenarios within the Area Plan. The Tentative Tract Map is required to comply with the Area Plan, which requires that appropriate infrastructure be provided to support the development. Therefore, the site is suitable for the proposed density of development.*

6. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.

*The proposed subdivision is located on land that has largely been previously graded and/or used as temporary farmland and growing operations. While the proposed subdivision is located adjacent to Borrego Canyon Wash, which has experienced erosion over the past several decades, the development will not drain directly into the wash. Post development drainage will enter storm drains on Bake Parkway, which discharge into Serrano Creek, and Alton Parkway storm drains, which discharge into the Borrego Canyon Wash. The Opportunities Study Area Program Environmental Impact Report, Alton Parkway Environmental Impact Report, and Shea / Baker Ranch Supplemental Environmental Impact Report identified coastal sage scrub that will be affected by development, and as such, the project will comply with the applicable mitigation measures contained in the regulatory permits pertaining to the removal of native vegetation. As a result of those measures, all impacts to wildlife and habitat will be mitigated to less than significant levels.*

7. The design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

*The design of the subdivision and the proposed improvements are in compliance with all required standards. The subdivision proposes recreational facilities and adequate infrastructure to support proposed uses. In addition, the project, as conditioned, are required to be in compliance with all applicable State, County, and City design, building, and other safety related laws, codes, and regulations, including, but not limited to, the Uniform Building Code and Uniform Fire Code. Furthermore, the proposed subdivision and related development have not been designated as a hazardous or ultra hazardous use, will not involve the generation, disposal, use, release, or transportation of a significant amount of toxic or hazardous substances, and will not create noxious or offensive odors. Therefore, it is not anticipated that the proposed subdivision will cause serious health problems.*

8. The design of the subdivision and the proposed improvements will not conflict with easements of record or established by court judgment or acquired by the public at large for access through or use of property within the proposed subdivision; or, if such easements exist, that alternate easements for access or for use will be provided and these will be substantially equivalent to ones previously acquired by the public.

*Review of the proposed subdivision has revealed that there are no easements for the purposes of providing access through, or public use of, the property. In the case of previously recorded easements no longer proposed for their originally-intended use, those easements will be quitclaimed. Because the subdivision involves future parks open to the public and a potential affordable housing site, necessary easements will be created to allow for public access in perpetuity. Therefore, design of the subdivision and proposed improvements will not conflict with such easements of record.*

9. The design and improvement of the proposed subdivision are suitable for the uses proposed and the subdivision can be developed in compliance with the applicable zoning regulations pursuant to Section 7.05.055.

*The design and improvement of the proposed subdivision has been reviewed and found to be in compliance with the applicable zoning regulations in the Baker Ranch Planned Community Text, including street widths, street grades, and lot sizes.*

10. The subdivision is not located in a fee area or, if located in a fee area, the subdivider has met the requirements for payment of the applicable fees or the subdivision would not allow development of a project which would contribute to the need for the facility for which a fee is required.

*The subdivision is located in the Foothill Circulation Phasing Area, Foothill Transportation Corridor, and Santiago Canyon fee areas. Furthermore, per the executed Development Agreement and applicable City and County regulations, the developer is required to pay certain development impact fees prior to the construction of any homes. Therefore, the subdivision would not allow the development of a project which would contribute a need for facilities for which the project has not paid.*

11. The discharge of waste from the proposed subdivision into the existing sewer system would not result in a violation of the existing requirements of the Regional Water Quality Control Board pursuant to Division 7 of the Water Code.

*The OSA PEIR addressed the water quality impacts of the Project in Section 3.8. No impacts on the existing sewer system from the development on the Project were identified.*

SECTION 2. CITY COUNCIL ACTIONS. Based on the Staff Report, all written and oral comments and testimony presented, and the aforementioned

findings, the City Council hereby approves Tentative Tract Map 16466, subject to the following conditions:

**Tentative Tract Map 16466**  
**Conditions of Approval**

**Conditions of Approval are divided into the following sections:**

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*Note: Mitigation Measures from the Shea/Baker Supplemental EIR have been incorporated, and modified from the OSA PEIR where appropriate for the project, into the following conditions of approval and are referenced by numbers corresponding to the measures identified in the SEIR or the OSA PEIR, when carried forward.*

*Notes:*

- 1. The Public Facilities Phasing and Financing Plan from the Shea / Baker Ranch Area Plan is incorporated as Exhibit A.*
- 2. The Planning Areas referenced in these conditions of approval are defined in the Shea / Baker Ranch Area Plan.*
- 3. The term “developer” shall apply to any and all subsequent master or merchant builders, owners, or applicants for subsequent development projects.*

## GENERAL CONDITIONS

- The developer shall indemnify, protect, defend, and hold the City, and/or any of its officials, officers, employees, agents, departments, agencies, authorized volunteers, and instrumentalities thereof, harmless from any

Division Codes		Other Codes	
BLDG	- Building and Safety	EIR	- Environmental Impact Report
CS	- Community Services	MM	- Mitigation Measure
PLNG	- Planning Division	OSA	- Opportunities Study Area
OCFA	- Orange County Fire Authority	PEIR	- Program EIR
PW/ENG	Public Works/ Engineering Division	RW	- Retaining Wall Design Guidelines
		AQ	- Air Quality
		BIO	- Biological Resources
		CR	- Cultural Resources
		GCC/GHG	- Greenhouse Gases
		HAZ	- Hazardous Materials
		HYD	- Hydrology
		PS	- Public Services
		TT	- Traffic / Transportation

and all claims, demands, lawsuits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolution procedures (including, but not limited to arbitrations, mediations, and other such procedures), judgments, orders, and decisions (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, authorized volunteers, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, any action of, or any permit or approval issued by the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City) for or concerning the project, whether such Actions are brought under the Ralph M. Brown Act, California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Community Redevelopment Law, Code of Civil Procedure Sections 1085 or 1094.5, or any other federal, state, or local constitution, statute, law, ordinance, charter, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that developer shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the developer of any Action brought and City shall cooperate with developer in the defense of the Action. This condition is intended to reflect and implement Section 11.2 of the Development Agreement between the City and the developer. It shall not be interpreted to expand, change, or in any way modify the respective rights of the parties under Section 11.2.

2. Approval of Tentative Tract Map 16466 shall expire at the end of term of the Development Agreement in accordance with section 7.8.1 of the Development Agreement and section 66452.6(a)(1) of the Government Code. (PLNG \_\_\_\_\_)
3. Within five (5) business days of the approval of the project by the City

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Council, the developer shall deliver to the Development Services Department a check payable to the County Clerk, in the amount of fifty dollars (\$50.00) for the County administrative filing fee, to enable the City to file the Notice of Determination required under Public Resources Code Section 21152 and 14 Cal. Code of Regulations 15075. (PLNG\_\_\_\_\_)

4. The project shall be developed and maintained in substantial compliance with Area Plan 2-11-1732 and Tentative Tract Map 16466 approved by the City Council on \_\_\_\_\_, 2012 and on file with the City of Lake Forest Development Services Department. Minor modification or changes to the Tentative Tract Map shall be in accordance with Chapter 7.05 of the Lake Forest Municipal Code, the Subdivision Map Act and Chapter 7.7 of the Development Agreement.  
(PLNG \_\_\_\_\_) (PW/ENG\_\_\_\_\_)
5. The developer shall comply in all respects with all terms and conditions of the Development Agreement, as recorded by the Orange County Clerk-Recorder's Office on October 20, 2010, as document number 2010000551280. (City Attorney\_\_\_\_\_) (PLNG \_\_\_\_\_)
6. The developer shall comply in all respects with all terms and conditions of any Implementing Agreement and/or Operating Memorandum to the Shea/Baker Ranch Development Agreement entered into by the developer/property owner and the City.(City Attorney\_\_\_\_\_) (PLNG \_\_\_\_\_)
7. Approval of this application shall not be interpreted to supplant or supersede, or to render inapplicable by omission of notice of non-compliance with, any provisions of the Development Agreement for the project. When a direct conflict is present between the conditions of approval contained herein and the Development Agreement, the Development Agreement shall prevail. Where the Development Agreement does not address a particular issue addressed in the conditions of approval, the conditions of approval shall prevail.  
(City Attorney\_\_\_\_\_) (PLNG \_\_\_\_\_)
8. The approval of this Tentative Tract Map permits the development of up

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to 2,379 residential units. (PLNG \_\_\_\_)

9. The Planning Division processes discretionary applications on a deposit basis. Deposit funds are provided by applicants/developers to cover the actual costs associated with staff time and resources utilized in processing an application. If, at any time, the cost to process the application exceeds the deposit on file, additional funds shall be deposited by the applicant/developer. A final accounting for this project will be prepared following the City Council's decision on the project and if needed, a request for additional funds will be provided to the applicant within 10 business days. Should additional funds be required, the developer shall submit a check or money order, payable to the City of Lake Forest, for the additional funds within 30 days, or prior to issuance of a grading permit or a final map for the project, whichever is earlier.  
(PLNG \_\_\_\_)
10. The developer shall submit a monetary deposit to fund post-discretionary approval activity. Post-discretionary approval activity consists of any activity involving staff time to facilitate the processing of the project in accordance with approval documents, discretionary approvals, explanations of language, and subsequent coordination activities. This activity does not include review of grading or building plans, processing of Final Maps, subsequent development applications, or any other activity for which a processing fee or deposit is already collected. (PLNG \_\_\_\_)
11. The developer may file up to forty (40) phased final maps as part of the Project.  
(PW/ENG\_\_\_\_)
12. Changes to the Tentative Map 16466 may necessitate changes to the Shea / Baker Ranch Area Plan (AP 2-11-1732) and associated conditions. Whenever possible, changes to the Area Plan and TTM shall be processed concurrently. (PLNG \_\_\_\_)(PW/ENG\_\_\_\_)
13. Unless otherwise specified, references to building permits in this resolution do not include building permits for model homes. The number of model homes in a neighborhood shall be specified as part of the Site

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Plan for model home complex to be processed by the developer.  
(PLNG \_\_\_\_\_)

14. The term "Site Development Permit" shall be treated as a "Site Plan" for the purposes of the Shea / Baker Ranch project and subject to regulations of the Baker Ranch Planned Community Text and the Shea / Baker Ranch Area Plan.  
(PLNG \_\_\_\_\_)

### **SUBSEQUENT DEVELOPMENT APPROVALS REQUIRED**

15. For any subsequent development, a precise grading or building permit shall only be issued following approval of Site Plan, as referenced in the Baker Ranch Planned Community Text and Shea / Baker Ranch Area Plan (Area Plan 2-11-1732), for the corresponding residential development on Planning Areas 1A – 1L. Site Plans shall be in accordance with the Lake Forest Municipal Code, Baker Ranch Planned Community, Shea / Baker Ranch Area Plan and any applicable design guidelines, to be reviewed and decided upon in accordance with Section 1.4 of the Shea / Baker Ranch Area Plan. This condition is not intended to preclude future tentative tract or parcel maps to create smaller building sites or condominium parcels in any Planning Area. (PLNG \_\_\_\_\_)
16. In accordance with Section 8.23 of the Shea / Baker Ranch Development Agreement, each Site Plan for the project site shall either (a) comply with the Affordable Housing Implementation Plan or (b) provide evidence of dedication of the "Affordable Site", as defined in the Shea / Baker Ranch Development Agreement. (PLNG \_\_\_\_\_)
17. Prior to construction of either the neighborhood parks or passive park, the developer shall obtain final approval of designs for that park from the Community Services Department, Public Works Department, and the Development Services Departments.  
(CS\_\_\_\_\_) (PW/ENG\_\_\_\_\_) (PLNG\_\_\_\_\_)
18. Nothing in this resolution shall preclude the developer's ability to further subdivide lots, provided that the proposed subdivision complies with all regulations of the Subdivision Map Act, Zoning Ordinance, Baker Ranch

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Planned Community Text, and Shea / Baker Ranch Area Plan.

(PLNG \_\_\_\_\_) (PW/ENG \_\_\_\_\_)

19. Subsequent development approvals for future residential developments are not precluded from including conditions of approval relevant to the subsequent development proposal. Nothing in this resolution shall be superseded by resolutions for subsequent development approvals unless specifically identified. (PLNG \_\_\_\_\_)
20. Subsequent development approvals shall incorporate all applicable mitigation measures from the Shea / Baker Ranch Final Environmental Impact Report. (PLNG \_\_\_\_\_)
21. For model home site plans only, within 60 days after the termination of the use of the subject property as a model home/sales complex, the parking lot and temporary fencing shall be removed or revised as necessary to comply with the current applicable zoning regulations. Within six months following the removal of the parking lot improvement and trailer, the lots upon which the parking lot and trailer were situated shall be either planted with grass or improved with dwellings.  
(OSA PEIR MMRP Aesthetics Model Home Complex Standard Condition of Approval: MHC1) (PLNG \_\_\_\_\_)
22. A condition of approval shall be placed on all Site Development Permit and/or Use Permit approvals for site-specific developments, which states: "Prior to issuance of a building permit, the applicant shall submit plans for shielding of all HVAC equipment to provide noise attenuation that will reduce noise from HVAC systems to 65 dBA or less when measured at 50 feet from the noise source." Noise MM-3 (OSA Program EIR Mitigation Measure MM 3.10-3). (PLNG \_\_\_\_\_)
23. Prior to the issuance of a Site Development Permit for new commercial and retail projects, site plans shall include prioritized parking for electric vehicles, hybrid vehicles, and alternative fuel vehicles. GHG MM-2 (OSA PEIR Mitigation Measure MM GCC3) (PLNG \_\_\_\_\_)
24. The developer shall demonstrate on conceptual landscape plans that new

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development will use reclaimed water for public and common area landscaping where available; install 50 percent native/drought-tolerant plant species in developer-installed landscaped areas; and utilize “smart” advanced capability controllers (e.g., Weather-Trac) to reduce water and energy consumption. GHG MM-5 (OSA PEIR Mitigation Measure MM GCC6) (PLNG \_\_\_\_\_)

25. Prior to approval of a Site Development Permit for new commercial, retail and industrial projects, site plans must incorporate any combination of the following strategies to reduce heat gain created by impervious areas:

- Utilizing shade trees in common area landscaping;
- Reducing the street widths to minimize impervious areas and reduce the use of asphalt;
- Utilizing light-colored and reflective roofing materials and paint;
- Incorporating bioswales where feasible in development areas to capture urban runoff and increase the amount of pervious surfaces.

GHG MM-6 (OSA PEIR Mitigation Measure MM GCC7) (PLNG \_\_\_\_\_)

26. A condition of approval shall be placed on all Site Development Permit and/or Use Permit approvals for site-specific developments, which states:

- Construction staging areas and operation of earth moving equipment on a project site shall be located more than 25 feet away from sensitive receptors (such as residences, schools, hospitals). If equipment will be operated within 25 feet of any sensitive receptor, the applicant shall prepare a construction plan which quantifies the anticipated vibration levels associated with the construction (in VdB) and the length of time the construction is to occur, and documents efforts to minimize impacts associated with groundborne vibration.
- The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
- The construction contractor shall locate equipment staging in areas

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that will create the greatest distance practical between construction-related noise sources and noise-sensitive receptors such as residential uses nearest the project site during all project construction.

- The construction contractor shall obtain the City's approval for its haul plan, with the planned haul truck routes avoiding residential areas to the extent feasible.

Noise MM-1 (OSA Program EIR Mitigation Measure MM 3.10-1).  
(PLNG \_\_\_\_\_)

### **PRIOR TO ANY DEMOLITION ACTIVITIES**

27. Prior to demolition of existing on-site structures, an asbestos survey shall be conducted by a qualified environmental professional to determine the presence or absence of asbestos. If present, asbestos removal shall be performed by a State-certified asbestos containment contractor in accordance with the Toxic Substance Control Act (TSCA), (15 U.S.C. Section 2601 et. seq.) Title 2 – Asbestos Hazard Emergency Response for handling asbestos. (Source: OSA PEIR, Legal Requirements for Hazards and Hazardous Materials) (BLDG\_\_\_\_\_)
28. If during demolition of the structures, paint is separated from the building material (e.g., chemically or physically), the paint waste shall be evaluated independently from the building material by a qualified environmental professional to determine its proper management. According to the Department of Toxic Substances Control, if paint is not removed from the building material during demolition (and is not chipping or peeling), the material may be disposed of as construction debris (a non-hazardous waste). The landfill operator shall be contacted in advance to determine any specific requirements they may have regarding the disposal of lead-based paint materials, if necessary. (Source: OSA PEIR, Legal Requirements for Hazards and Hazardous Materials) (BLDG\_\_\_\_\_)

### **PRIOR TO ROUGH GRADING PERMIT ISSUANCE (EACH PHASE)**

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29. The developer shall prepare and submit a rough grading plan for the review and approval of the Director of Development Services, the Building Official, and the Director of Public Works/City Engineer showing new pads and elevations of finished grades, drainage routes, retaining walls, erosion control, slope easements, structural best management practices conforming to the approved water quality management plan, and other pertinent information. The developer shall also print all conditions of approval relevant to rough grading within the first four sheets of the rough grading plan. (PLNG \_\_\_\_\_) (BLDG\_\_\_\_\_)(PW/ENG\_\_\_\_\_)
30. If review of the grading plan for this property indicates significant deviation from the proposed grading illustrated on the approved tentative map, specifically with regard to slope heights, slope ratios, and pad elevations, size, and configuration, the plan shall be reviewed by the Director of Pubic Works/City Engineer for a finding of substantial conformance prior to the issuance of a grading permit. The Director of Pubic Works/City Engineer may refer the matter to the Planning Commission for a recommendation. Failure to achieve such a finding will require processing an amended tentative tract map or revisions to the grading plan to achieve substantial conformance. (PW/ENG \_\_\_\_\_) (PLNG \_\_\_\_\_)
31. In accordance with the City's Retaining Wall Design Guidelines, the developer shall include the following submittal materials as part of the rough grading plans.
  - a. All proposed retaining walls, including locations, heights and materials, shall be depicted on each applicable sheet of the project plans submitted to the City for review and approval. Wall heights shall be noted at changes in wall height, where height variations occur, and at regular intervals of sufficient frequency to fully describe the proposed wall. Measured wall heights to be noted include the full height (from the top of footing to the top of wall, the exposed face height, and the height from the daylight line to the top of the wall. Plans shall depict property lines and right-of-way lines, and shall be

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stamped and signed by a Civil Engineer registered in the State of California.

- b. Areas with building restrictions related to proposed retaining walls and geogrid fabric shall be clearly identified on the project plans.
- c. The developer shall submit a written narrative identifying and describing in detail the proposed means (e.g., CC&Rs) of ensuring the long-term maintenance of retaining walls which traverse multiple independently owned parcels, and/or walls under common ownership via a property owners association.
- d. Engineering studies, prepared by a California-registered professional engineer, demonstrating the technical appropriateness of the proposed wall for the project site, shall be submitted concurrent with the project plans. Required studies shall, at a minimum, address the following:
  - i. Geotechnical design parameters include seismic information and shear strength calculations.
  - ii. Whether onsite materials will be acceptable for backfill between any proposed geogrids, or if soil import is needed for wall construction.
  - iii. Recommendations for minimum setbacks from proposed walls to proposed structures, based on the design parameters of the proposed wall.
  - iv. Recommendations for restrictions on structures and improvements, including swimming pools, walls/fences and trees, within proximity of proposed retaining walls.

(PW/ENG\_\_\_\_) (PLNG\_\_\_\_)

- 32. In accordance with LFMC Section 8.30.090, the developer shall post security for the grading permit in an amount to be determined by the Building Official/City Engineer. The required amount must include items relating to hazardous conditions such as erosion and air/dust control, the

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cost of completing any Mechanically-Stabilized Earth (MSE) walls, provisions for landscaping as relating to slope stability, compliance with approved landscape plans, and contingency funds which must include an allowance for site maintenance. (BLDG \_\_\_\_\_) (PLNG \_\_\_\_\_)

33. All utilities serving the project shall be underground. (PW/ENG \_\_\_\_\_)
34. The developer shall conduct a final site-specific geotechnical investigation for the boundaries for the grading permit and prepare a report that fully assesses the geologic and soil conditions. As part of the report preparation, soil sampling and any geotechnical testing will be completed at locations where structures are to be erected. The report shall provide grading and structural design recommendations for avoiding liquefaction, subsidence or collapse for those locations. The report shall be consistent with the preliminary geotechnical study submitted during the Tentative Tract Map and environmental review process. The recommendations shall be included in the plans submitted to the City.  
(PW/ENG) (BLDG \_\_\_\_\_)
35. The project shall adhere to geotechnical recommendations outlined in Chapter 3, Conclusion and Preliminary Recommendations, of the *Geotechnical Review of Tentative Tract Map 16466 and Geotechnical Review of the Western Edge of the Baker Ranch Development*, prepared by NMG Geotechnical dated March 2011 and August 2011 (for Borrego Canyon Wash), respectively. Recommendations shall be noted on project grading plans and building specifications for the proposed Tentative Tract Map and any future projects proposed within the Area Plan. Grading plans and building specifications shall be reviewed and approved by the Building Official and Director of Public Works.  
(MM GEO-1 - Source: OSA PEIR, Legal Requirements for Geology, Soils and Mineral Resources) (PLNG\_\_\_\_\_)
36. The developer shall submit a complete hydrology and hydraulic study (including off-site areas affecting the development), prepared by a California-registered professional civil engineer, consistent with the use of the criteria of the Orange County Hydrology Manual, to the Director of

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Public Works/City Engineer for review and approval. The study shall be consistent with the study submittal during the Tentative Tract Map and environment review process. The study report shall determine potential stormwater runoff rates and peak flows for the City of Lake Forest and County of Orange design storms, as well as the 100-year storm for both existing and proposed project conditions. Sufficient detail shall be provided to develop the existing conditions and proposed project conditions potential hydrograph and timing of peak flows. The study report shall also include detailed drainage information indicating how the drainage conveyance systems including applicable swales, channels, street flows, catch basins, storm drains, and flood water retarding, in conjunction with the site grading, will allow building pads to be safe from inundation from rainfall runoff which may be expected from all storms up to and including the theoretical 100-year flood. The study report shall demonstrate that the effect of stormwater discharge to any City-, County-, or Other Agency-owned drainage or flood control facility as mitigated shall be designed and implemented to prevent post-construction stormflows from exceeding pre-construction volumes and rates.

(OSA PEIR MM 3.8-5.) (PW/ENG \_\_\_\_\_)

37. The developer shall submit storm drain plans, prepared by a California registered professional civil engineer, depicting proposed storm drain improvements for the project. All storm drain improvements shall comply with the Orange County Local Drainage Manual. (PW/ENG\_\_\_\_\_)
38. The developer shall demonstrate compliance with the project Water Quality Management Plan (WQMP) approved July 6, 2010. (PW/ENG\_\_\_\_\_)
39. The developer shall submit a proposed truck haul plan for the review and approval of the Director of Public Works /City Engineer, for the import and export of dirt, construction materials, vehicles, and equipment. The plan shall include the proposed route and hours of operation and a maintenance plan. (PW/ENG\_\_\_\_\_)
40. The developer shall include provisions on the grading plans that provide

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temporary fencing for construction sites and that fences be secured and maintained for the duration of the construction, to the satisfaction of the City Engineer. The configuration of construction fencing located at corners, driveways, or intersections shall not create view obstructions of traffic or pedestrians. (PLNG \_\_\_\_\_)

41. At least three business days prior to any lane closure, the construction contractor shall notify the Orange County Sheriff's Department (OCSD) and Orange County Fire Authority (OCFA), the City of Lake Forest Development Services Department, Public Works Department, and Traffic Engineering Manager of construction activities that would impede movement (such as road or lane closures) along roadways immediately adjacent to the development area, to allow for uninterrupted emergency access and maintenance of evacuation routes.  
HAZ MM-2 (OSA PEIR MMRP Mitigation Measure 3.7-3)  
(PW/ENG\_\_\_\_\_) (PLNG\_\_\_\_\_)
42. Per Government Code Section 66473.7(b)(1), the developer shall demonstrate that a sufficient water supply is available. This may be satisfied by demonstration that a verification of water supply has been provided by the Irvine Ranch Water District. (PLNG\_\_\_\_\_)
43. The developer shall require by contract specifications that all diesel-powered equipment used would be retrofitted with after-treatment products (e.g., engine catalysts) to the extent that it is readily available in the South Coast Air Basin. Contract specifications language shall be reviewed by the City prior to issuance of a grading permit.  
(AQ MM-1) (OSA PEIR Mitigation Measure MM 3.3-1) (PLNG\_\_\_\_\_)
44. The developer shall require by contract specifications that alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) and low-emission diesel construction equipment would be utilized to the extent that the equipment is readily available and cost effective in the South Coast Air Basin. Contract specification language shall be reviewed by the City prior to issuance of a grading permit. AQ MM-3 (OSA PEIR Mitigation Measure MM 3.3-3)

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(PLNG\_\_\_\_\_)

45. The developer shall require by contract specifications that construction equipment engines will be maintained in good condition and in proper tune per manufacturer's specification for the duration of construction. Contract specification language shall be reviewed by the City prior to issuance of a grading permit. AQ MM-4 (OSA PEIR Mitigation Measure MM 3.3-4) (PLNG\_\_\_\_\_)
46. The developer shall require by contract specifications that construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than five minutes. Contract specification language shall be reviewed by the City prior to issuance of a grading permit. AQ MM-5 (OSA PEIR Mitigation Measure MM 3.3-5) (PLNG\_\_\_\_\_)
47. The developer shall require by contract specifications that construction operations rely on the electricity infrastructure surrounding the construction site rather than electrical generators powered by internal combustion engines to the extent feasible. Contract specification language shall be reviewed by the City prior to issuance of a grading permit. AQ MM-6 (OSA PEIR Mitigation Measure MM 3.3-6) (PLNG\_\_\_\_\_)
48. The developer shall implement dust control measures consistent with SCAQMD Rule 403— Fugitive Dust during the construction phases of new project development. Contract specification language shall be reviewed for inclusion of this language by the City prior to issuance of a grading permit. The following actions are currently recommended to implement Rule 403 and have been quantified by the SCAQMD as being able to reduce dust generation between 30 and 85 percent depending on the source of the dust generation:
  - Apply water and/or approved nontoxic chemical soil stabilizers according to manufacturer's specification to all inactive construction areas (previously graded areas that have been inactive for 10 or more

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days)

- Replace ground cover in disturbed areas as quickly as possible
- Enclose, cover, water—three times daily, or apply approved chemical soil binders to exposed piles with 5 percent or greater silt content
- Water trucks will be utilized on the site and shall be available to be used throughout the day during site grading to keep the soil damp enough to prevent dust being raised by the operations. Water active grading sites at least twice daily
- Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 miles per hour over a 30-minute period
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer), in accordance with Section 23114 of the California Vehicle Code
- Sweep streets at the end of the day
- Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip on a gravel surface to prevent dirt and dust from impacting the surrounding areas.
- Apply water three times daily or chemical soil stabilizers according to manufacturers' specifications to all unpaved parking or staging areas or unpaved road surfaces
- Post and enforce traffic speed limits of 15 miles per hour or less on all unpaved roads

AQ MM-7 (OSA PEIR Mitigation Measure MM 3.3-7) (PLNG\_\_\_\_\_)

49. The Applicant shall retain a qualified, permitted biologist to confirm the presence and quantity of coastal sage scrub habitat located on the project site. If coastal sage scrub habitat is found to be located on the project

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site, the Applicant shall submit proof to the Director of Development Services that in-lieu fees have been paid to the County of Orange Central/Coastal Natural Communities Conservation Plan (NCCP) Reserve.

The Applicant shall also demonstrate to the satisfaction of the Director of Development Service compliance with the following NCCP construction impact avoidance measures or such measure in effect at the time of construction:

1. To the maximum extent practicable, no grading of CSS habitat that is occupied by nesting gnatcatchers will occur during the breeding season (February 15 through July 15). It is expressly understood that this provision and the remaining provisions of these "construction-related minimization measures," are subject to public health and safety considerations. These considerations include unexpected slope stabilization, erosion control measures and emergency facility repairs. In the event of such public health and safety circumstances, landowners or public agencies/utilities will provide USFWS/CDFG with the maximum practicable notice (or such notice as is specified in the NCCP/HCP) to allow for capture of gnatcatchers, cactus wrens and any other CSS Identified Species that are not otherwise flushed and will carry out the following measures only to the extent as practicable in the context of the public health and safety considerations.
2. Prior to the commencement of grading operations or other activities involving significant soil disturbance, all areas of CSS habitat to be avoided under the provisions of the NCCP/HCP, shall be identified with temporary fencing or other markers clearly visible to construction personnel. Additionally, prior to the commencement of grading operations or other activities involving disturbance of CSS, a survey will be conducted to locate gnatcatchers and cactus wrens within 100 feet of the outer extent of projected soil disturbance activities and the locations of any such species shall be clearly marked and identified

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on the construction/grading plans.

3. A monitoring biologist, acceptable to USFWS/CDFG will be on site during any clearing of CSS. The landowner or relevant public agency/utility will advise USFWS/CDFG at least seven (7) calendar days (and preferably fourteen (14) calendar days) prior to the clearing of any habitat occupied by Identified Species to allow USFWS/CDFG to work with the monitoring biologist in connection with bird flushing/capture activities. The monitoring biologist will flush identified Species (avian or other mobile Identified Species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities. If birds cannot be flushed, they will be captured in mist nets, if feasible, and relocated to areas of the site to be protected or to the NCCP/HCP Reserve System. It will be the responsibility of the monitoring biologist to assure that Identified bird species will not be directly impacted by brush-clearing and earth-moving equipment in a manner that also allows for construction activities on a timely basis.
4. Following the completion of initial grading/earth movement activities, all areas of CSS habitat to be avoided by construction equipment and personnel will be marked with temporary fencing or other appropriate markers clearly visible to construction personnel. No construction access, parking or storage of equipment or materials will be permitted within such marked areas.
5. In areas bordering the NCCP reserve system or Special Linkage/Special Management areas containing significant CSS identified in the NCCP/HCP for protection, vehicle transportation routes between cut-and-fill locations will be restricted to a minimum number during construction consistent with project construction requirements. Waste dirt or rubble will not be deposited on adjacent CSS identified in the NCCP/HCP for protection. Preconstruction meetings involving the monitoring biologist, construction supervisors and equipment operators will be conducted and documented to

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ensure maximum practicable adherence to these measures.

6. CSS identified in the NCCP/HCP for protection and located within the likely dust drift radius of construction areas shall be periodically sprayed with water to reduce accumulated dust on the leaves as recommended by the monitoring biologist.

BIO MM-2 (OSA Program EIR Mitigation Measure 3.4-2). (PLNG\_\_\_\_\_)

50. Prior to issuance of a grading permit for any site within the Project Area, a qualified archaeologist shall be retained by the applicant for that grading permit to provide professional archaeological services. The archaeologist shall be present at the pre-grading conference to establish procedures for archaeological resource surveillance. Those procedures shall include provisions for temporarily halting or redirecting work to permit sampling, identification and evaluation of resources deemed by the archaeologist to potentially be historical resources or unique archaeological resources under CEQA. If, before grading, any portions of the property subject to the grading permit have been identified as sites, which may have such resources present and may be impacted by development, the archaeologist shall conduct a site survey and records search and such further examinations as may be needed to assess the significance of the resources. If the archaeological resource is determined to be a unique archaeological resource, options for avoidance or preservation in place shall be evaluated and implemented if feasible. In the event that avoidance or preservation in place is infeasible and the archaeologist determines that the potential for significant impacts to such resources exists, a data recovery program shall be expeditiously conducted. The archaeologist also shall conduct on-site archaeological monitoring for the grading operation. Should historical resources or unique archaeological resources be discovered during the grading operation, grading activities shall be modified to allow expeditious and proper analysis and/or salvage of the resources. Disposition of the resources shall be within the discretion of the City of Lake Forest. If prehistoric archaeological sites (not isolates) are discovered during monitoring of earthmoving, Native

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American representatives shall be retained to observe activities and shall contribute to discussion of any treatment proposed.

The qualified archaeologist retained shall prepare monthly progress reports to be filed with the site developer(s) and the City of Lake Forest.

Artifacts recovered shall be prepared, identified, and catalogued before donation to the accredited repository designated by the City of Lake Forest. State of California Guidelines for the Curation of Archaeological Collections shall be consulted regarding the treatment of recovered artifacts. Any artifacts determined to be insignificant shall be offered to local schools for use in educational programs.

The qualified archaeologist retained shall prepare a final report to be filed with the site developer(s), the City of Lake Forest, and the South Central Coastal Information Center. The report shall include a list of specimens recovered, documentation of each locality, interpretation of artifacts recovered and shall include all specialists' reports as appendices.

CR MMs- 1-4 (OSA P EIR Mitigation Measure 3.5-1-4) (PLNG\_\_\_\_\_)

51. Before issuance of a grading permit, a qualified paleontologist shall be retained by the site developer(s) to provide professional paleontological services. Prior to commencement of construction, the paleontologist will develop a research design, based on current information, which will include specific research questions and what types of data (fossils, micropaleontological analysis, etc) will permit those questions to be answered. The research design should be sufficient to ensure that future fossils recovered can be placed into a regional context and contribute new information to science. During grading activities, the qualified paleontologist shall conduct on-site paleontological monitoring for the project site. Monitoring shall include inspection of exposed surfaces and microscopic examination of matrix to determine if fossils are present. The monitor shall have authority to divert grading away from exposed fossils temporarily in order to recover the fossil specimens. Cooperation and assistance from on-site personnel will greatly assist timely resumption of

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work in the area of the fossil discovery. Fossil localities discovered require specific information be recorded on location and elevation of fossils, taking of samples for analysis, stratigraphic column be developed and fossils must be identified by qualified experts.

The qualified paleontologist retained shall prepare monthly progress reports to be filed with the site developer(s) and the City of Lake Forest.

Fossils recovered shall be prepared, identified, and cataloged before donation to an accredited repository designated by the City of Lake Forest. The principal paleontologist will develop a research design to place newly and previously discovered fossils from the project area into a regional context and will specifically include research questions to be answered during fossil recovery work.

The qualified paleontologist retained shall prepare a final report to be filed with the site developer(s) and the City of Lake Forest. The report shall include a list of specimens recovered, documentation of each locality, interpretation of fossils recovered and shall include all specialists' reports as appendices. CR MM-5-8 (OSA PEIR Mitigation Measure 3.5-5-8)  
(PLNG\_\_\_\_\_)

52. Site developer(s) shall be responsible for providing evidence to the City and the OCFA prior to the issuance of grading permits that water pressure is adequate for fire-fighting purposes.  
HAZ MM-4 (OSA PEIR MMRP Mitigation Measure 3.7-5). (OCFA\_\_\_\_\_)
53. Prior to the issuance of a grading permit, the applicant shall demonstrate to the Building Official that coverage has been obtained under California's General Permit for Storm Water Discharge Associated with Industrial Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number to the Building Official. Prior to the issuance of a grading permit, the applicant shall submit to the Building Official for review and approval a Stormwater Pollution Prevention Plan (SWPPP). A copy of the approved

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SWPPP shall be kept at the project site and available for review upon request. (OSA PEIR MMRP Drainage/Flood/NPDES Standard Conditions of Approval DFN2) (PW/ENG\_\_\_\_) (BLDG\_\_\_\_)

54. Prior to the issuance of a grading permit, the applicant shall produce written evidence, or other evidence deemed reasonably acceptable by the Director of Development Services, that all construction vehicles or equipment, fixed or mobile, operated within 1,000 feet of any residential dwelling unit shall be equipped with properly operating and maintained mufflers. (OSA PEIR MMRP Noise Standard Condition N2) (PLNG\_\_\_\_)
55. Prior to issuance of a grading permit, the applicant shall obtain approval of the Fire Chief for all fire protection access roads within 150 feet of all portions of the exterior of every structure on the site. The site plan shall indicate existing and any proposed fire hydrants. The site plan shall indicate the locations of the existing and/or proposed fire lane markings. Please contact the OCFA at (714) 573-6100 or visit the OCFA website to obtain a copy of the "Guidelines for Emergency Access." (OSA PEIR MMRP Fire Protection Standard Conditions of Approval F1) (OCFA\_\_\_\_)
56. Prior to the issuance of a grading permit, the applicant shall submit construction details for any access gate to the Fire Chief for review and approval. The Fire Chief will approve the construction details if the Chief reasonably determines that the construction details are in compliance with the Uniform Fire Code and such other Federal, State, and Local laws, regulations, ordinances, standards, and policies as are applicable. (OSA PEIR MMRP Fire Protection Standard Conditions of Approval F2) (OCFA\_\_\_\_)

### **PRIOR TO ROUGH GRADING PERMIT ISSUANCE (2nd Phase)**

57. Per the requirements of LPMC 8.03.090, the developer shall post financial security for Phase 2 rough grading. Developer shall also post security for the Borrego Canyon Wash improvements (including but not limited to,

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grading, installation of box-culvert, restoration of Wash bottom to 2002 profile, revegetation of the Wash, construction of access road for box-culvert, installation of flow diverter upstream of box culvert, outlet structure downstream of box culvert to the Borrego Canyon Wash, and energy dissipaters). (PW/ENG\_\_\_\_) (BLDG\_\_\_\_)

58. Prior to approval of the Project plans and specifications, the City of Lake Forest Director of Public Works, or designee, shall confirm that the plans and specifications stipulate that the Project site will be adequately protected from the 100-year storm, will not adversely impact downstream properties, and is designed in conformance with applicable City and OCFCD requirements. (*Alton Parkway Extension EIR No. 583, MMRP Project Design Features, Standard Conditions and Mitigation Measures*) SC 3-3b (PW/ENG\_\_\_\_)
59. Per Section E.2.e of Exhibit B in the Shea / Baker Ranch Development Agreement, the developer shall submit a Road Closure Plan pertaining to the closure of Alton Parkway during Phase 2 of grading. Per LFMC Section 14.08.090, road closures must be authorized by the City Council. (PW/ENG\_\_\_\_)
60. The developer shall demonstrate that a request has been submitted to FEMA for a Conditional Letter of Map Revision (CLOMR), requesting the removal of the western portion of the property from its current flood plain designation. (PW/ENG\_\_\_\_)

**PRIOR TO APPROVAL OF ANY FINAL TRACT MAPS FOR FINANCE AND CONVEYANCE (“A” MAP AS DEFINED IN THE DEVELOPMENT AGREEMENT)**

61. The following statements shall be included on each sheet of a proposed tract map for finance and conveyance purposes.
  - a. “The lots created by the recordation of this tract map are for financing/conveyance purposes only and are not legal building lots.”
  - b. “Lots are subject to approved SBRA Area Plan (2-11-1732), TTM 16446, and associated conditions.” (PW/ENG\_\_\_\_)

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**PRIOR TO APPROVAL OF ANY FINAL TRACT MAPS FOR  
DEVELOPMENT (“B” MAP AS DEFINED IN THE DEVELOPMENT  
AGREEMENT)**

62. The developer shall dedicate, construct, or enter into a Subdivision Improvement Agreement and post security in a manner meeting the approval of the Director of Public Works/City Engineer guaranteeing the dedication and construction of the following public improvements applicable to this subdivision:
- a. Public street improvements including, but not limited to: pavement, curb and gutter, sidewalks, parkways, streets, medians, roundabouts, cul-de-sacs, drive approaches, landscaping for parkways, slopes, and medians, street lighting, signing, striping, and ADA ramps.
  - b. The following project-specific public improvements:
    - i. Traffic signals
    - ii. Streets
    - iii. On-site and off-site storm drain facilities, including water quality/detention basins.
    - iv. Sewer, reclaimed and/or domestic water systems as required by the appropriate sewer and water districts as well as the Orange County Fire Authority when appropriate.
    - v. The installation and completion of landscaping and computerized irrigation control system on all site perimeter landscaped areas, including slopes, areas above and below retaining walls, and public parkways, as indicated on the approved landscape plan.
    - vi. Installation of street light poles, luminaries, conduits and cable to the satisfaction of the Director of Public Works/City Engineer and the Southern California Edison Company.
    - vii. Monumentation.

Plans for improvements, including proposed and relocated utility lines, shall be prepared by a California-registered professional civil engineer and shall be prepared on 24” x 36” sheets. Plans shall be reviewed and approved by the Director of Public Works/City Engineer based on the

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City's ordinances, standards, and policies, including, but not limited to, those design and construction standards adopted by the City or otherwise reasonably determined by the Director to be applicable to the project. Plans for signing, striping, and other traffic control devices shall be reviewed and approved by the City Traffic Engineering Manager. Water improvement plans shall be reviewed and approved by the Fire Marshal and the Irvine Ranch Water District. The water distribution system and appurtenances shall conform to the applicable laws and adopted regulations enforced by the Orange County Health Department. Domestic water, sewer and reclaimed water improvement plans shall be reviewed and approved by the Irvine Ranch Water District. These plans shall also be approved by the City Engineer for construction within the public right-of-way. Encroachment permits are required for any work within the City's right-of-way. (PW/ENG \_\_\_\_\_)

63. Developer shall provide to the Public Works Department for review a preliminary Title Report no older than 60 days from the final tract map submittal date. The owner's name in the report shall match the name under the Owner's Certificate section of the final map. (PW/ENG \_\_\_\_\_)
64. Any final map requested by the developer shall have completed, or posted security for completion of, any on- and off-site infrastructure serving the area to the satisfaction of the Director of Public Works/City Engineer and the Director of Development Services. (PW/ENG \_\_\_\_\_)
65. Any easement that lies within or crosses rights-of-way proposed to be deeded or dedicated to the City, shall be subordinated to the City prior to City acceptance of the rights-of-way, unless otherwise exempted by the Director of Public Works/City Engineer based on the City's ordinances, standards, and policies, including, but not limited, to those design and construction standards adopted by the City or otherwise reasonably determined by the Director to be applicable to the project. (PW/ENG \_\_\_\_\_)
66. The developer shall prepare a Buyer's Notice and Disclosure statement for all future buyers and/or residents regarding all of the following

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applicable nearby features: FAA Property/ FBI Firearms Training Facility, State Route 241, Concrete Plant, Borrego Canyon Wash, Major Roads (Alton Parkway, Rancho Parkway, Bake Parkway, Dimension Drive), James A. Musick Facility, Community Park, Linear Parks, Neighborhood Parks, and the general characteristics associated with these uses, including lights, noise, traffic, and/or parking. The presence of geogrid fabric for the mechanically-stabilized earth (MSE) walls on each property shall also be disclosed. The disclosure shall be reviewed by the Director of Development Services, Director of Public Works, and the City Attorney and include a site exhibit. The Buyer's Notice and Disclosure statement shall be recorded onto each saleable lot for the property.

(PLNG \_\_\_\_\_) (PW/ENG\_\_\_\_\_) (City Attorney\_\_\_\_\_)

67. The developer shall submit to the Development Services Department for review and approval by the City Attorney, Director of Development Services and the Director of Public Works/City Engineer a copy of the Covenants, Conditions and Restrictions (CC&Rs) for this project. The CC&Rs shall include, but is not limited to, the following:
- a. Creation of a property owner's association for the purpose of assuming maintenance responsibility. There may sub-associations created within individual planning areas.
  - b. Identify the property owners association as responsible and liable for the maintenance and repair of all common area improvements including but not limited to: site-retaining walls, exterior faces of perimeter walls, perimeter slopes, landscaping, irrigation and drainage improvements, modular wetlands, water quality measures, fuel modification areas, private drives and alleys, guest parking areas, private walkways, signage, and other community amenities.
  - c. Maintenance of retaining walls in all instances where retaining walls traverse multiple independently owned parcels.
  - d. A provision ensuring that residential parking garages are permanently and continually kept available for the parking of vehicles belonging to the occupants of the attached or assigned residence.
  - e. A provision stating that all parking spaces shall remain available as guest parking spaces, free of charge, for the life of the project.

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- f. Identify the mechanism for funding all necessary (anticipated and unanticipated) maintenance and repairs.
  - g. A graphic and description identifying the locations of the Mechanically-Stabilized Earth wall geogrid fabric and any associated restrictions.
  - h. A graphic and provision prohibiting parking spaces along the Streets “A” and “B”, the exception of parking for Park F.
  - i. Homeowners’ Association Maintenance of all WQMP BMPs on site, including on public streets (in accordance with the approved WQMP). A graphic shall be included indicating all facilities to be maintained.
  - j. A graphic and provision referencing all parks or portions thereof which are owned and maintained by the Homeowners’ Association, but remain open for public access.
  - k. References to all applicable final Water Quality Management Plans.
  - l. A requirement for annual encroachment permits to be obtained for access to the public right-of-way for maintenance of any walls or landscaping. (City Attorney\_\_\_\_) (PW/ENG \_\_\_\_)(PLNG \_\_\_\_)
68. Final maps shall correspond to Section 11 (Public Facilities Phasing and Financing Plan) of the Area Plan. (PW/ENG \_\_\_\_)(PLNG \_\_\_\_)
69. Prior to approval of each Master, Tentative Tract, or Project Tract Map, the site developers shall enter into a Secured Fire Protection Agreement with OCFA that will ensure an adequate level of service is maintained in the City. PS MM-2 (*OSA PEIR MMRP Mitigation Measure 3.12-2*). (OCFA\_\_\_\_)
70. When applicable, final maps shall include a public use easement for all parks within Shea / Baker Ranch (recreation centers and swimming pools excepted). (PW/ENG \_\_\_\_)(PLNG \_\_\_\_)
71. The developer shall provide the Planning Division an ArcGIS digital data file of the Final Map with each parcel as a separate polygon or feature class. The ArcGIS digital file may not contain annotation, labels, or measurement lines. The ArcGIS digital file may either be a Shapefile, Personal Geodatabase or a File Geodatabase. A request for the approval

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of any other ArcGIS compatible file format shall be subject to the discretion of the Director of Development Services. The ArcGIS digital map file shall be in accordance with the following criteria:

- 1) Digital data shall be georeferenced to the California coordinate system – STATEPLANE Zone 6 (Lambert Conformal Conic projection) and NAD 83 datum.
- 2) Digital data shall have units in US FEET.
- 3) The database for the ArcGIS digital file shall include either the tract and lot numbers for each parcel or the Assessor's Parcel Number (if it has been assigned) and the lot size. (PLNG \_\_\_\_\_)

#### **PRIOR TO RELEASE OF SECURITY**

72. Prior to release of the grading bond, the developer shall provide a certificate, from a Registered Civil Engineer, certifying that the finished grading has been completed in accordance with the City approved grading plan. (PW/ENG \_\_\_\_\_) (BLDG \_\_\_\_\_)
73. Prior to the release of subdivision improvement bond, the developer shall submit one (1) set of computerized data, which is compatible with the City ARC/VIEW system and in the file types of either Shapefile (.shp), File Geodatabase (.gdb), or Personal Geodatabase (.mdb), of "as built" of landscape and grading improvements, and in a manner acceptable to, the City Engineer. When requested by the City Engineer, the developer shall submit one (1) set of computerized data of computer generated structural analysis and calculations. (PLNG \_\_\_\_\_) (PW/ENG \_\_\_\_\_)
74. Prior to the release of subdivision improvement bond for any portion or the entire project site, the developer shall demonstrate completion of all subdivision improvements associated with that bond. (PW/ENG \_\_\_\_\_)

#### **PRIOR TO THE ISSUANCE OF FIRST PRECISE GRADING PLAN OR FIRST RESIDENTIAL BUILDING PERMIT FOR THE ENTIRE PROJECT**

75. The developer shall submit a master landscape plan prepared by a licensed landscape architect to the Planning Commission for review and

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		TT	- Traffic / Transportation

approval. The plans shall include retention of any existing landscaping as well as new landscaping for common public or private property, including parkways, medians, slopes, and roundabouts. Where landscaping is located in adjacent or between site retaining walls, the plans shall include the location of the retaining walls for reference. The plan shall be consistent with Section 7 of the Shea / Baker Ranch Area Plan (Area Plan 2-11-1732). (PLNG \_\_\_\_\_)

**PRIOR TO THE ISSUANCE OF PRECISE GRADING PLAN OR FIRST RESIDENTIAL BUILDING PERMIT FOR EACH NEIGHBORHOOD**

76. The applicant shall prepare and submit a final (precise) grading plan to the Building Division of the Development Services Department showing building footprints, new and revised pads and elevations of finished grades, drainage routes, retaining walls, erosion control, slope easements, structural best management practices conforming to the approved water quality management plan, and other pertinent information. (*OSA PEIR MMRP Geology, Soils, And Mineral Resources Grading Standard Conditions of Approval G1*) (PLNG \_\_\_\_\_)
77. The applicant shall submit a lighting plan to the Development Services Department for review and approval for each specific development project. The plan shall specify the lighting type and placement to ensure that the effects of security lighting are limited as a means of minimizing night lighting and the associated impacts to aesthetics. Prior to completion of final plans and specifications, the City of Lake Forest shall review the plans and specifications to ensure that all light fixtures will use glare-control visors, arc tube suppression caps, and will use a photometric design that maintains 70 percent of the light intensity in the lower half of the light beam. Completion of this measure shall be monitored and enforced by the City of Lake Forest.

All lighting and advertising (including signage) shall be oriented in such a manner to reduce the amount of light shed onto adjacent residential development and incorporate “cut-off” shields as appropriate to minimize any increase in lighting at adjacent residential properties.

Division Codes		Other Codes	
BLDG	- Building and Safety	AQ	- Air Quality
CS	- Community Services	BIO	- Biological Resources
PLNG	- Planning Division	CR	- Cultural Resources
OCFA	- Orange County Fire	GCC/GHG	- Greenhouse Gases
Authority		HAZ	- Hazardous Materials
PW/ENG	Public Works/ Engineering Division	HYD	- Hydrology
		PS	- Public Services
		TT	- Traffic / Transportation
		EIR	- Environmental Impact Report
		MM	- Mitigation Measure
		OSA	- Opportunities Study Area
		PEIR	- Program EIR
		RW	- Retaining Wall Design Guidelines

All interior floodlights, exterior parking lot, and other security lighting shall be directed away from adjacent uses and towards the specific location intended for illumination. State-of-the-art fixtures shall be used, and all lighting shall be shielded to minimize the production of glare and light spill onto both existing and proposed residential units.

Landscape illumination and exterior sign lighting shall follow the City's Municipal Code and applicable Planned Community design guidelines and be accomplished with low-level unobtrusive fixtures.

(AE MM-1-4/OSA Program EIR MM 3.1-4) (PLNG \_\_\_\_\_)

78. The developer shall identify energy efficient street lights and water and wastewater pumps and treatment systems which are currently available and which when installed will provide for a 10 percent reduction beyond the 2007 baseline energy use for this infrastructure, and shall require the use of this technology in all new development. All new traffic lights installed within the City shall use LED technology.

GHG MM-3 (OSA PEIR Mitigation Measure MM GCC4) (PW/ENG\_\_\_\_\_)

**PRIOR TO ISSUANCE OF BUILDING PERMITS FOR NON-  
RESIDENTIAL STRUCTURES OR PLAN CHECK APPROVAL OF  
RESIDENTIAL CONSTRUCTION PLANS**

79. The developer shall obtain approval of a landscape and irrigation construction plan for the associated neighborhood, prepared by a licensed landscape architect by the Director of Development Services. The plans shall include retention of any existing landscaping as well as new landscaping for common public or private property, including parkways, medians, slopes, and roundabouts. The plan shall be consistent with Section 7 of the Shea / Baker Ranch Area Plan (Area Plan 2-11-1732) and the master landscape plan approved by the Planning Commission. (PLNG \_\_\_\_\_)

80. The residential construction plans shall be developed in substantial conformance with Site Plan approved either by the Director of

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BLDG	- Building and Safety	EIR	- Environmental Impact Report
CS	- Community Services	MM	- Mitigation Measure
PLNG	- Planning Division	OSA	- Opportunities Study Area
OCFA	- Orange County Fire Authority	PEIR	- Program EIR
PW/ENG	Public Works/ Engineering Division	RW	- Retaining Wall Design Guidelines
		AQ	- Air Quality
		BIO	- Biological Resources
		CR	- Cultural Resources
		GCC/GHG	- Greenhouse Gases
		HAZ	- Hazardous Materials
		HYD	- Hydrology
		PS	- Public Services
		TT	- Traffic / Transportation

Development Services or the Planning Commission. (PLNG \_\_\_\_)

81. The developer shall submit a soils report pertaining to building pads for review and approval of the Building Official. The report may pertain to multiple building pads. (BLDG \_\_\_\_)
82. The developer shall indicate on plans that mechanical equipment placed on the roof such as, but not limited to, air conditioning, heating, ventilating ducts and exhaust fans is screened from view to the adjacent streets and properties through the use of approved roof screens, recessed roof wells and/or use of the building parapets. (PLNG \_\_\_\_)(BLDG \_\_\_\_)
83. The plans shall be in compliance with all regulatory documents and codes including but not limited to the Zoning Ordinance, Baker Ranch Planned Community Text, Shea / Baker Ranch Area Plan, California Building Codes. (PLNG \_\_\_\_)(BLDG \_\_\_\_)
84. Prior to the issuance of building permits for new commercial and retail projects or residential projects, the City shall review the plans to confirm that the SBRA Project complies with the requirements of Title 24 of the California Code of Regulations.  
GHG MM-1 (OSA PEIR Mitigation Measure MM GCC2) (BLDG\_\_\_\_)
85. The developer shall recycle and/or salvage at least 50 percent of nonhazardous construction and demolition debris. To implement this requirement, the applicant shall submit a construction waste management plan for review and approval of the Director of Development Services prior to issuance of a building permit. The construction waste management plan shall identify materials to be diverted from disposal and whether the materials will be stored on-site or commingled. Excavated soil and land-clearing debris do not contribute to this credit. Calculation can be done by weight or volume but must be documented. GHG MM-4 (OSA PEIR Mitigation Measure MM GCC5) (BLDG\_\_\_\_)
86. Prior to issuance of building permits for any development within the Project Area, the City shall modify, to the extent necessary, the City's emergency response protocol and available emergency response

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PLNG	- Planning Division	CR	- Cultural Resources
OCFA	- Orange County Fire	GCC/GHG	- Greenhouse Gases
Authority		HAZ	- Hazardous Materials
PW/ENG	Public Works/ Engineering Division	HYD	- Hydrology
		PS	- Public Services
		TT	- Traffic / Transportation
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		OSA	- Opportunities Study Area
		PEIR	- Program EIR
		RW	- Retaining Wall Design Guidelines

resources, as outlined in the Emergency Preparedness Plan, to accommodate development. Such modifications shall ensure that the existing level of emergency service is maintained.

HAZ MM-3 (*OSA PEIR MMRP Mitigation Measure 3.7-4*). (BLDG\_\_\_\_\_)

87. All commercial, industrial and retail development shall be required to post signs and limit idling time for commercial vehicles, including delivery trucks to no more than 5 minutes.

GHG MM-7 (*OSA PEIR Mitigation Measure MM GCC8*) (PLNG\_\_\_\_\_)

88. No overnight sleeping or camping shall be permitted on the property. Signs stating such shall be posted within the parking lot. (PLNG\_\_\_\_\_)

89. Prior to the issuance of building permits for each structure or tenant improvement other than a parking structure, the applicant shall submit a final acoustical report prepared to the satisfaction of the Director of Development Services. The report shall show that the development will be sound attenuated against present and projected noise levels, including roadway and railroad, to meet City interior and exterior noise standards. In order to demonstrate that all mitigation measures have been incorporated into the project, the report shall be accompanied by a list identifying the sheet(s) of the building plans that include the approved mitigation measures. (*OSA PEIR MMRP Noise Standard Condition N3*)

(PLNG\_\_\_\_\_)

90. Prior to the issuance of a building permit, the applicant shall submit evidence of the on-site fire hydrant system to the Fire Chief and indicate whether it is public or private. If the system is private, it shall be reviewed and approved by the Fire Chief prior to building permit issuance, and the applicant shall make provisions for the repair and maintenance of the system in a manner meeting the approval of the Fire Chief. (*OSA PEIR MMRP Fire Protection Standard Conditions of Approval F3*)

(OCFA \_\_\_\_\_)

91. Prior to the issuance of a building permit for combustible construction, the applicant shall submit a letter on company letterhead stating that water for

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PW/ENG	Public Works/Engineering Division	HAZ	- Hazardous Materials
		HYD	- Hydrology
		PS	- Public Services
		TT	- Traffic / Transportation
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fire-fighting purposes and all weather fire protection access roads shall be in place and operational as required by the Uniform Fire Code before any combustible materials are placed on the site. (OSA PEIR MMRP Fire Protection Standard Conditions of Approval F4) (OCFA \_\_\_\_)

92. Prior to the issuance of a building permit, the applicant shall provide evidence of adequate fire flow. The "Orange County Fire Authority Water Availability for Fire Protection" form shall be signed by the applicable water district and submitted to the Fire Chief for approval. If sufficient water to meet fire flow requirements is not available an automatic fire extinguishing system may be required in each structure affected. (OSA PEIR MMRP Fire Protection Standard Conditions of Approval F5) (OCFA \_\_\_\_)
93. Prior to the issuance of a building permit, plans for the automatic fire sprinkler system shall be submitted to the Fire Chief for review and approval. This system shall be operational prior to the issuance of a certificate of use and occupancy. (OSA PEIR MMRP Fire Protection Standard Conditions of Approval F6) (OCFA \_\_\_\_)
94. Prior to the issuance of a building permit, the applicant shall contact the Orange County Fire Authority Hazardous Materials Disclosure Office at (714) 744-0463 to complete and submit a "Hazardous Materials Business Information and Chemical Inventory Packet." (OSA PEIR MMRP Fire Protection Standard Conditions of Approval F8) (OCFA \_\_\_\_)

#### **PRIOR TO ISSUANCE OF ALL BUILDING PERMITS**

95. a. The developer shall timely pay fees associated with the Development Agreement, including, but not limited to, the Community Center Facilities Fee, Maintenance fees for City Facilities, fees associated with the Lake Forest Transportation Mitigation Program (LFTM), and Affordable Housing Fees, if applicable. (BLDG\_\_\_\_)
96. Prior to the issuance of a building permit, the applicant shall pay fees to the City of Lake Forest as prescribed in the Major Thoroughfare and

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		BIO	- Biological Resources
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		PS	- Public Services
		TT	- Traffic / Transportation



Bridge Fee Program, including but not limited to the following:

- Foothill Circulation Phasing Plan – Zone 2
- Foothill/Eastern Transportation Corridor – Zone A
- Santiago Canyon Road

(BLDG\_\_\_\_\_)

97. In accordance with the Development Agreement, the developer shall comply with the School Facilities Funding and Mitigation Agreement and provide a Certificate of Compliance to the City as written indication that applicable school fees have been/or will be paid. (BLDG\_\_\_\_\_)

98. The developer(s) shall demonstrate that applicable library impact fees have been paid to Orange County Public Library the library impact fees in effect at the time of building permit issuance.  
(OSA PEIR MMRP Standard Conditions and Legal Requirements for Public Services) (BLDG\_\_\_\_\_)

**PRIOR TO ISSUANCE OF THE FIRST RESIDENTIAL BUILDING  
PERMIT IN A PLANNING AREA**

99. The developer shall obtain approval of a construction landscape and irrigation plan for all common-area landscaping on the perimeter of the Planning Area, including slopes, medians, parkways, and entry monumentation. (PLNG\_\_\_\_\_)

100. The developer shall submit to the Development Services Department an exhibit demonstrating all of the “Neighborhoods” which comprise the Planning Area. (PLNG\_\_\_\_\_)

**PRIOR TO ISSUANCE OF THE FIRST RESIDENTIAL BUILDING  
PERMIT IN ANY NEIGHBORHOOD OR MULTI-FAMILY PROJECT**

101. The developer shall demonstrate that contiguous streets providing access and utilities providing service to the neighborhood or project have been completed. (PW/ENG\_\_\_\_\_)

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PW/ENG	Public Works/Engineering Division	RW	- Retaining Wall Design Guidelines
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		BIO	- Biological Resources
		CR	- Cultural Resources
		GCC/GHG	- Greenhouse Gases
		HAZ	- Hazardous Materials
		HYD	- Hydrology
		PS	- Public Services
		TT	- Traffic / Transportation

102. The developer shall have applied for and obtained the approval of a Site Plan, in accordance with Section 1.4 of the Shea / Baker Ranch Area Plan. (PLNG \_\_\_\_)
103. The developer shall submit to the Development Services Department a construction phasing plan for the neighborhood or project. (PLNG \_\_\_\_)

**PRIOR TO ISSUANCE OF THE 50<sup>th</sup> RESIDENTIAL BUILDING PERMIT  
IN EACH NEIGHBORHOOD OR MULTI-FAMILY PROJECT**

104. The developer shall demonstrate that sidewalks and landscaping along the streets providing access to the neighborhood have been completed. (PLNG \_\_\_\_)(PW/ENG\_\_\_\_)

**PRIOR TO ISSUANCE OF THE FIRST RESIDENTIAL BUILDING  
PERMIT IN A CONSTRUCTION PHASE OF ANY NEIGHBORHOOD**

105. The developer shall demonstrate that streets and utilities have been completed and provide contiguous access and service (i.e., connect to the backbone infrastructure) to the residential lots(s) within the phase. (PW/ENG\_\_\_\_)
106. The developer shall construct perimeter walls on the residential properties within the construction phase, if any. (PLNG \_\_\_\_)

**CONDITIONS WITH PROJECT-WIDE UNIT THRESHOLDS**

**PRIOR TO APPROVAL OF THE 301<sup>st</sup> RESIDENTIAL BUILDING  
PERMIT IN THE ENTIRE PROJECT**

107. In accordance with Section 8.23 of the Development Agreement, the developer shall submit an Irrevocable Offer of Dedication to the satisfaction of the City Manager, City Attorney, and Director of Development Services, for the "Affordable Housing" site to the City if the developer chooses to satisfy the affordable housing requirement through dedication of land. (PLNG \_\_\_\_)
108. The developer shall complete Alton Phase 1, as described in the Shea / Baker Ranch Development Agreement Exhibit B - (E)(2)(o)(i), consisting

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PW/ENG	Public Works/Engineering Division	RW	- Retaining Wall Design Guidelines
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		BIO	- Biological Resources
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		HYD	- Hydrology
		PS	- Public Services
		TT	- Traffic / Transportation

of the widening of Alton Parkway from 4 to 6 lanes (ultimate width) between Commercentre Drive and “B” Street, including sidewalks, curb, gutter, parkway, bicycle lane, median, landscaping (parkway and median), and dry utilities. (PLNG \_\_\_\_\_) (PW/ENG\_\_\_\_\_)

109. The developer shall install the Interim signal at Alton Parkway and “B” Street, to the satisfaction of the Director of Public Works. (PW/ENG\_\_\_\_\_)

110. The developer shall complete landscaping at the southeast corner of the intersection of Alton Parkway and “B” Street. (PLNG \_\_\_\_\_) (PW/ENG\_\_\_\_\_)

111. The developer shall complete the entry monumentation at Alton Parkway and Commercentre Drive. (PLNG \_\_\_\_\_)

**PRIOR TO APPROVAL OF THE 550<sup>th</sup> RESIDENTIAL BUILDING  
PERMIT IN THE ENTIRE PROJECT**

112. The developer shall obtain Orange County Flood Control District approval of plans for the Borrego Canyon Wash box culvert, and associated features, including, but not limited to the upstream flow diverter, box outlet to the Borrego Canyon Wash, energy dissipaters, and maintenance and access trail, etc. (PW/ENG\_\_\_\_\_)

113. The developer shall demonstrate that an agreement with the Orange County Flood Control District has been executed for the ownership and maintenance of the Borrego Canyon Wash box culvert, and associated features, including, but not limited to the upstream flow diverter, box outlet to the Borrego Canyon Wash, and energy dissipaters. (PW/ENG\_\_\_\_\_)

114. The developer shall demonstrate that an agreement, to the satisfaction of the Director of Public Works/City Engineer, has been executed for the future ownership of the natural portion of the Borrego Canyon Wash (otherwise known as the “low-flow” portion). The agreement shall delineate the entity(s) responsible for the maintenance of the “low-flow” portion of the Wash, describe all maintenance responsibilities, and

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PW/ENG	Public Works/Engineering Division	RW	- Retaining Wall Design Guidelines
		AQ	- Air Quality
		BIO	- Biological Resources
		CR	- Cultural Resources
		GCC/GHG	- Greenhouse Gases
		HAZ	- Hazardous Materials
		HYD	- Hydrology
		PS	- Public Services
		TT	- Traffic / Transportation

specify appropriate endowments, if applicable. The agreement shall be subject to the City's approval, which the City may provide or withhold, in its sole and absolute discretion. (PW/ENG\_\_\_\_\_)

**PRIOR TO APPROVAL OF THE 600<sup>th</sup> RESIDENTIAL BUILDING PERMIT IN THE ENTIRE PROJECT**

115. The developer shall deliver the Five Acre Neighborhood Park, with improvements as required pursuant to Paragraph C2 of Exhibit B of the Development Agreement, prior to the earlier of (a) the issuance of the 600th building permit for the Project, and (b) the issuance of the first certificate of occupancy within Planning Area 1A as shown on the Land Use Plan of the Shea / Baker Ranch Area Plan, excluding certificates of occupancy for model homes. (PLNG \_\_\_\_\_)

**PRIOR TO APPROVAL OF THE 901<sup>st</sup> BUILDING PERMIT IN THE ENTIRE PROJECT**

116. In accordance with Section 8.23 of the Development Agreement, the developer shall deliver the "Affordable Housing" site to the City in "Superpad" condition, to the satisfaction of the City Manager, City Attorney, Director of Public Works, and Director of Development Services, if the developer has chosen to satisfy the affordable housing requirement through the dedication of land. (PLNG\_\_\_\_\_) (PW/ENG\_\_\_\_\_)
117. The developer shall complete Alton Phase 2, as described in the Shea / Baker Ranch Development Agreement Exhibit B - (E)(2)(o)(ii), consisting of the widening of Alton Parkway from 4 to 6 lanes (ultimate width) between "B" Street and Rancho Parkway, including sidewalks, curb, gutter, parkway, bicycle lane, median, landscaping (parkway and median), and dry utilities. (PW/ENG\_\_\_\_\_)
118. The developer shall install the full signal at Alton Parkway and "B" Street, to the satisfaction of the Director of Public Works. (PW/ENG\_\_\_\_\_)
119. The developer shall install the full signal at Alton Parkway and "A" Street, to the satisfaction of the Director of Public Works. (PW/ENG\_\_\_\_\_)

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		BIO	- Biological Resources
		CR	- Cultural Resources
		GCC/GHG	- Greenhouse Gases
		HAZ	- Hazardous Materials
		HYD	- Hydrology
		PS	- Public Services
		TT	- Traffic / Transportation

120. The developer shall complete landscaping at the northeast corner intersection of Alton Parkway and "A" Street.  
(PLNG\_\_\_\_) (PW/ENG\_\_\_\_)
121. The developer shall deliver the Five Acre Neighborhood Park, with improvements as required pursuant to Paragraph C2 of Exhibit B of the Development Agreement, prior to the earlier of (a) the issuance of the 600th building permit for the Project, and (b) the issuance of the first certificate of occupancy within Planning Area 1A as shown on the Land Use Plan of the PC Text, excluding certificates of occupancy for model homes.  
(PLNG \_\_\_\_)

**PRIOR TO APPROVAL OF THE 1346th BUILDING PERMIT IN THE  
ENTIRE PROJECT**

122. If the Borrego Condition (as defined in the Shea / Baker Ranch Development Agreement) is not imposed, the developer must commence the "Borrego Improvements" by the earlier of 1) commencement of Phase 2 grading for the Project as outlined in Exhibit 11.2 of the Area Plan, and 2) issuance of the 1,346th building permit for the Project. Borrego Improvements is as defined in the Shea / Baker Ranch Development Agreement.  
(PLNG \_\_\_\_) (PW/ENG\_\_\_\_)

**PRIOR TO APPROVAL OF THE 1863rd BUILDING PERMIT IN THE  
ENTIRE PROJECT**

123. If the Borrego Condition is not imposed, the developer must complete the Borrego Improvements prior to issuance of the 1,863rd building permit for the Project.  
(PLNG \_\_\_\_) (PW/ENG\_\_\_\_)

**CONDITIONS PERTAINING TO SPECIFIC PLANNING AREAS**

**PRIOR TO THE ISSUANCE OF THE FIRST RESIDENTIAL BUILDING  
PERMIT IN PLANNING AREA 1A (EITHER PORTION)**

124. The developer shall construct improvements to Rancho Parkway between Alton Parkway and eastern community boundary, including streets, curb and gutter, construction of parkways, medians and slopes, storm drain,

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PW/ENG	Public Works/ Engineering Division	RW	- Retaining Wall Design Guidelines
		AQ	- Air Quality
		BIO	- Biological Resources
		CR	- Cultural Resources
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		HAZ	- Hazardous Materials
		HYD	- Hydrology
		PS	- Public Services
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and wet utilities. (PLNG \_\_\_\_\_) (PW/ENG\_\_\_\_\_)

125. The developer shall complete drainage improvements on the northeast side of Rancho Parkway. (PW/ENG\_\_\_\_\_)
126. The developer shall complete the connection to Domestic Water Zone LF 2, as identified in the Shea / Baker Ranch Area Plan (eastward of eastern community boundary on Rancho Parkway). (PW/ENG\_\_\_\_\_)
127. The developer shall complete the connection to Reclaimed Water Zone C, as identified in the Shea / Baker Ranch Area Plan (eastward of eastern community boundary on Rancho Parkway). (PW/ENG\_\_\_\_\_)
128. The developer shall coordinate with City regarding interim signal modifications at Rancho Parkway and Alton Parkway six months prior to signal coming online. (PW/ENG\_\_\_\_\_)
129. The developer shall coordinate with City regarding ultimate signal modifications at Rancho Parkway and Alton Parkway six months prior to signal coming online. (PW/ENG\_\_\_\_\_)

**PRIOR TO THE ISSUANCE OF THE BUILDING PERMIT FOR THE 50<sup>TH</sup> RESIDENTIAL UNIT IN PLANNING AREA 1A (EITHER PORTION)**

130. The developer shall complete improvements to Rancho Parkway between Alton Parkway and eastern community boundary, including sidewalks, landscaping of parkways, medians and slopes, and dry utilities. (PLNG \_\_\_\_\_) (PW/ENG\_\_\_\_\_)

**PRIOR TO THE ISSUANCE OF THE 50TH RESIDENTIAL BUILDING PERMIT IN PLANNING AREA 1A (NORTH OF RANCHO PARKWAY)**

131. The developer shall complete landscaping at the northeast corner of Rancho Parkway and Alton Parkway. (PLNG \_\_\_\_\_)

**PRIOR TO THE ISSUANCE OF THE FIRST RESIDENTIAL BUILDING PERMIT IN PLANNING AREA 1A (SOUTH OF RANCHO PARKWAY)**

132. The developer shall complete construction of "A" Street from Alton

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PW/ENG	Public Works/Engineering Division	RW	- Retaining Wall Design Guidelines
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		BIO	- Biological Resources
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Parkway to northerly boundary of Planning Area 1C, including streets, curb and gutter, construction of parkways and slopes, storm drain, and wet utilities. (PLNG \_\_\_\_\_) (PW/ENG\_\_\_\_\_)

133. The developer shall obtain approval of park construction plans from the City and commence construction of Neighborhood Park A. (PLNG \_\_\_\_\_)

**PRIOR TO THE ISSUANCE OF THE 50TH RESIDENTIAL BUILDING PERMIT IN PLANNING AREA 1A (SOUTH OF RANCHO PARKWAY)**

134. The developer shall complete construction of "A" Street from Alton Parkway to northerly boundary of Planning Area 1C, including, sidewalks, landscaping of parkways and slopes, and dry utilities. (PLNG \_\_\_\_\_) (PW/ENG\_\_\_\_\_)
135. The developer shall complete landscaping at the southeast corner of Rancho Parkway and Alton Parkway (PLNG \_\_\_\_\_)
136. The developer shall complete construction of Neighborhood Park A. (PLNG \_\_\_\_\_)

**PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY WITHIN PLANNING AREA 1A**

137. The developer shall deliver the Five Acre Neighborhood Park, with improvements as required pursuant to Paragraph C2 of Exhibit B of the Development Agreement, prior to the earlier of (a) the issuance of the 600th building permit for the Project, and (b) the issuance of the first certificate of occupancy within Planning Area 1A as shown on the Land Use Plan of the PC Text, excluding certificates of occupancy for model homes. (PLNG \_\_\_\_\_)

**PRIOR TO ISSUANCE OF FIRST RESIDENTIAL BUILDING PERMIT IN PLANNING AREA 1C**

138. The developer shall obtain approval of park construction plans from the City and commence construction of Neighborhood Park C1, (including

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		HYD	- Hydrology
		PS	- Public Services
		TT	- Traffic / Transportation

adjacent neighborhood street for access and parkway landscaping. (PLNG

139. The developer shall obtain approval of park construction plans from the City and commence construction of Neighborhood Park C2.  
(PLNG \_\_\_\_\_)

**PRIOR TO ISSUANCE OF THE FIRST RESIDENTIAL BUILDING  
PERMITS IN PLANNING AREA 1C AND 1E**

140. The developer shall complete construction of "A" Street from northerly boundary of Planning Area 1C to Dimension Drive, including streets, construction of parkways and slopes, storm drain, and wet utilities. (PLNG

**PRIOR TO ISSUANCE OF THE 50<sup>TH</sup> RESIDENTIAL BUILDING PERMIT  
IN PLANNING AREA 1C**

141. The developer shall commence construction of recreation center and pool in Neighborhood Park C1.  
(PLNG \_\_\_\_\_)
142. The developer shall complete construction of Neighborhood Park C1, including adjacent neighborhood street for access and parkway landscaping.  
(PLNG \_\_\_\_\_)
143. The developer shall complete construction of Neighborhood Park C2.  
(PLNG \_\_\_\_\_)
144. The developer shall complete frontage improvements along the northwest side of Bake Parkway, including slope, slope landscaping, and sidewalk.  
(PLNG \_\_\_\_\_)
145. The developer shall complete construction of "A" Street from northerly boundary of Planning Area 1C to Dimension Drive, including sidewalks, landscaping of parkways and slopes, and dry utilities.  
(PLNG \_\_\_\_\_) (PW/ENG\_\_\_\_\_)

**PRIOR TO ISSUANCE OF THE 140<sup>TH</sup> RESIDENTIAL BUILDING  
PERMIT IN PLANNING AREA 1C**

146. The developer shall complete construction of recreation center and pool

Division Codes		Other Codes	
BLDG	- Building and Safety	EIR	- Environmental Impact Report
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		HAZ	- Hazardous Materials
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		PS	- Public Services
		TT	- Traffic / Transportation



in Neighborhood Park C1. (PLNG \_\_\_\_)

**PRIOR TO ISSUANCE OF THE 50<sup>TH</sup> RESIDENTIAL BUILDING PERMIT  
IN PLANNING AREA 1D**

147. The developer shall complete construction of Neighborhood Park D, (including adjacent neighborhood street for access and parkway landscaping. (PLNG \_\_\_\_)
148. The developer shall complete frontage improvements along the northwest side of Bake Parkway, including slope, slope landscape, and sidewalk. (PLNG \_\_\_\_)(PW/ENG\_\_\_\_)

**PRIOR TO THE 50<sup>TH</sup> RESIDENTIAL BUILDING PERMIT IN THE AREA  
CONSISTING OF PLANNING AREAS 1C, 1D AND 1F**

149. The developer shall complete the Baffin Bay cul-de-sac, including sidewalk, curb, gutter, and paving. (PLNG \_\_\_\_)(PW/ENG\_\_\_\_)

**PRIOR TO ISSUANCE OF FIRST RESIDENTIAL BUILDING PERMIT IN  
PLANNING AREA 1D**

150. The developer shall obtain approval of park construction plans from the City and commence construction of Neighborhood Park D, (including adjacent neighborhood street for access and parkway landscaping. (PLNG \_\_\_\_)

**PRIOR TO THE FIRST RESIDENTIAL BUILDING PERMIT IN  
PLANNING AREA 1C AND 1D**

151. The developer shall construct Dimension Drive from Bake Parkway to "A" Street, including streets, curb and gutter, construction of slopes, median, parkways, storm drain, and wet utilities. (PLNG \_\_\_\_)(PW/ENG\_\_\_\_)
152. The developer shall construct and landscape the roundabout at the intersection of Dimension Drive and "A"/"B" Street. (PLNG \_\_\_\_)(PW/ENG\_\_\_\_)
153. The developer shall complete modification of the traffic signal at Dimension Drive and Bake Parkway. (PW/ENG\_\_\_\_)

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**PRIOR TO THE 50<sup>TH</sup> RESIDENTIAL BUILDING PERMIT IN PLANNING AREA 1C AND 1D**

154. The developer shall complete Dimension Drive from Bake Parkway to “A” Street, including sidewalks and landscaping of slopes, median, parkways, and dry utilities. (PLNG \_\_\_\_\_) (PW/ENG\_\_\_\_\_)
155. The developer shall complete entry monumentation at Bake Parkway and Dimension Drive. (PLNG \_\_\_\_\_)

**PRIOR TO ISSUANCE OF FIRST RESIDENTIAL BUILDING PERMIT IN PLANNING AREA 1F AND 1D**

156. The developer shall complete construction of “B” Street from Alton Parkway to Dimension Drive, including streets, sidewalks, construction and landscaping of parkways and slopes, and utilities. (PLNG \_\_\_\_\_) (PW/ENG\_\_\_\_\_)

**PRIOR TO ISSUANCE OF FIRST RESIDENTIAL BUILDING PERMIT IN PLANNING AREA 1F**

157. The developer shall obtain approval of park construction plans from the City and commence construction of Neighborhood Park F, (including adjacent neighborhood street for access and parkway landscaping. (PLNG \_\_\_\_\_)

**PRIOR TO ISSUANCE OF THE 40<sup>TH</sup> RESIDENTIAL BUILDING PERMITS IN PLANNING AREA 1F**

158. The developer shall complete construction of Neighborhood Park F, including adjacent neighborhood street for access and parkway landscaping. (PLNG \_\_\_\_\_)
159. The developer shall obtain approval of park construction plans from the City and commence construction of recreation center and pool in Neighborhood Park F. (PLNG \_\_\_\_\_)
160. The developer shall complete landscaping at the southeast corner of Alton Parkway and Commercentre Drive (Lot QQQQ). (PLNG\_\_\_\_\_)

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**PRIOR TO ISSUANCE OF THE 80<sup>TH</sup> RESIDENTIAL BUILDING PERMIT  
IN PLANNING AREA 1F**

161. The developer shall complete construction of recreation center and pool in Neighborhood Park F. (PLNG \_\_\_\_)

**PRIOR TO ISSUANCE OF FIRST RESIDENTIAL BUILDING PERMIT IN  
PLANNING AREA 1E AND 1L**

162. The developer shall complete construction of “B” Street from Alton Parkway to Dimension Drive, including streets, sidewalks, construction and landscaping of parkways and slopes, and utilities. (PLNG\_\_\_\_) (PW/ENG\_\_\_\_)
163. The developer shall complete construction of “A” Street from Alton Parkway to northerly boundary of Planning Area 1C, including streets, sidewalks, construction and landscaping of parkways and slopes, and utilities. (PLNG \_\_\_\_) (PW/ENG\_\_\_\_)
164. The developer shall obtain approval of park construction plans from the City and commence construction of the Central Linear Park, including sewer, water, and storm drain improvements through the Central Linear Park. (PLNG \_\_\_\_) (PW/ENG\_\_\_\_)
165. The developer shall complete storm drain lines that will cross the Central Linear Park. (PW/ENG\_\_\_\_)

**PRIOR TO ISSUANCE OF THE 75<sup>TH</sup> RESIDENTIAL BUILDING PERMIT  
IN PLANNING AREA 1E AND 1L**

166. The developer shall complete landscaping at the southeast corner intersection of Alton Parkway and “A” Street. (PLNG \_\_\_\_) (PW/ENG\_\_\_\_)
167. The developer shall complete landscaping at the northeast corner intersection of Alton Parkway and “B” Street. (PLNG \_\_\_\_) (PW/ENG\_\_\_\_)
168. The developer shall complete Alton Parkway slope landscaping between

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“A” and “B” Street (east side of Alton Parkway).  
(PLNG \_\_\_\_\_) (PW/ENG\_\_\_\_\_)

169. The developer shall complete construction of “A” Street from northerly boundary of Planning Area 1C to Dimension Drive, including sidewalks, landscaping of parkways and slopes, and dry utilities.  
(PLNG \_\_\_\_\_) (PW/ENG\_\_\_\_\_)

**PRIOR TO ISSUANCE OF THE 100TH RESIDENTIAL BUILDING PERMITS IN PLANNING AREA 1E AND 1L**

170. The developer shall complete construction of the Central Linear Park, including sewer, water, and storm drain lines that traverse the park. The developer shall also commence construction of the storm drain improvements through the Central Linear Park. (PW/ENG\_\_\_\_\_)

**PRIOR TO ISSUANCE OF FIRST RESIDENTIAL BUILDING PERMIT IN PLANNING AREA 1K AND 1G**

171. The developer shall obtain approval of park construction plans from the City and commence construction of Neighborhood Park K, (including adjacent neighborhood street for access and parkway landscaping.

**PRIOR TO ISSUANCE OF THE 50<sup>TH</sup> RESIDENTIAL BUILDING PERMIT IN PLANNING AREA 1K AND 1G**

172. The developer shall complete construction of Neighborhood Park K, (including adjacent neighborhood street for access and parkway landscaping. (PLNG \_\_\_\_\_)

**PRIOR TO ISSUANCE OF FIRST RESIDENTIAL BUILDING PERMIT IN PLANNING AREA 1I AND 1G**

173. The developer shall obtain approval of park construction plans from the City and commence construction of Neighborhood Park I, (including adjacent neighborhood street for access and parkway landscaping.

**PRIOR TO ISSUANCE OF THE 100<sup>TH</sup> RESIDENTIAL BUILDING PERMIT IN PLANNING AREA 1I AND 1G**

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174. The developer shall complete construction of Neighborhood Park I, including adjacent neighborhood street for access and parkway landscaping. (PLNG \_\_\_\_)
175. The developer shall obtain approval of park construction plans from the City and commence construction of recreation center and pool in Neighborhood Park I. (PLNG \_\_\_\_)

**PRIOR TO ISSUANCE OF THE 200<sup>TH</sup> RESIDENTIAL BUILDING PERMITS IN PLANNING AREA 1I AND 1G**

176. The developer shall complete construction of recreation center and pool in Neighborhood Park I. (PLNG \_\_\_\_)

**PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS ON LOTS WITHIN A FLOOD PLAIN**

177. The developer shall demonstrate a Letter of Map Revision (LOMR) that revises the Flood Insurance Rate Map. Developer shall be responsible for obtaining the LOMR in advance of the timing requirement to allow sufficient processing time. (PW/ENG\_\_\_\_)

**PRIOR TO THE FIRST RESIDENTIAL BUILDING PERMIT FOR THE AREA CONSISTING OF PLANNING AREAS 1H, 1I, 1G, AND 1K**

178. The developer shall complete improvements for a turnaround and retained access to flood control easement at Baker Ranch Road. (PW/ENG\_\_\_\_) (PLNG \_\_\_\_)
179. The developer shall complete construction of "A" and "B" Streets (west of Alton Parkway) and "C" Street, including streets, curb and gutter, construction parkways, median and slopes, storm drain and wet utilities. (PW/ENG\_\_\_\_) (PLNG \_\_\_\_)
180. The developer shall obtain approval of park construction plans from the City and commence construction of the Borrego Linear Park, including the trail link to Neighborhood Park K. (PLNG \_\_\_\_)

**PRIOR TO THE 75TH RESIDENTIAL BUILDING PERMIT FOR THE**

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		RW	- Retaining Wall Design Guidelines

**AREA CONSISTING OF PLANNING AREAS 1H, 1I, 1G, AND 1K**

181. The developer shall complete the slope and landscaping adjacent to the northwest side of Alton Parkway. (PLNG \_\_\_\_\_)
182. The developer shall complete construction of "A" and "B" Streets (west of Alton Parkway) and "C" Street, including sidewalks, landscaping of parkways, and dry utilities. (PW/ENG\_\_\_\_\_)
183. The developer shall complete landscaping at the intersection of northwest and southwest corners of "B" Street and Alton Parkway on the west side of Alton Parkway. (PLNG\_\_\_\_\_)
184. The developer shall complete landscaping at the northwest and southwest corners of the intersection of "A" Street and Alton Parkway on the west side of Alton Parkway. (PLNG\_\_\_\_\_)

**PRIOR TO THE 175TH RESIDENTIAL BUILDING PERMIT FOR THE AREA CONSISTING OF PLANNING AREAS 1H, 1I, 1G, AND 1K**

185. The developer shall complete construction of the Borrego Linear Park, including the trail link to Neighborhood Park K. (PLNG \_\_\_\_\_)

**PRIOR TO THE APPROVAL OF PARK CREDIT**

186. The developer shall post financial security for the construction of all parks to be submitted for park credit. Prior to the release of security, the developer shall demonstrate that the parks have been construction in accordance with the park plans approved by the City. (PW/ENG\_\_\_\_\_)
187. All parks submitted for park credit shall comply with the requirements of the Development Agreement and the Shea / Baker Ranch Area Plan. (CS\_\_\_\_\_)(City Attorney\_\_\_\_\_)(PW/ENG\_\_\_\_\_)
188. Parks shall be developed in conformance with the recommendations by the Parks and Recreation Commission on October 20, 2011 and contained in subsequently revised precise conceptual design within the Area Plan. (CS\_\_\_\_\_)(PLNG\_\_\_\_\_)(PW/ENG\_\_\_\_\_)

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**PRIOR TO ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY  
IN ANY CONSTRUCTION PHASE OF ANY NEIGHBORHOOD**

189. The developer shall demonstrate that sidewalks and landscaping along the streets serving the units in that particular construction phase have been completed. (PLNG \_\_\_\_\_) (PW/ENG\_\_\_\_\_)

**PRIOR TO ISSUANCE OF ALL CERTIFICATES OF OCCUPANCY**

190. The applicant shall demonstrate that all structural Best Management Practices (BMP) described in the project's Water Quality Management Plan (WQMP) have been constructed and installed. In addition, the applicant is prepared to implement all non-structural BMP's described in the project's WQMP. Two (2) copies of the WQMP shall be available on-site. Prior to the issuance of a certificate of occupancy, all equipment shall be in place and in good working order as indicated in the WQMP. *OSA PEIR MMRP Drainage/Flood/NPDES Standard Conditions of Approval DF* (PW/ENG\_\_\_\_\_)
191. The developer shall have completed all project landscaping and irrigation for the associated neighborhood or construction phase. The developer shall submit a landscape installation verification letter from a licensed landscape architect indicating that the landscaping was installed in accordance with the approved plan. (PLNG \_\_\_\_\_)
192. The developer shall verify that mechanical equipment placed on any roof such as, but not limited to, air conditioning, heating, ventilating ducts and exhaust fans shall be screened from view through the use of approved roof screens, recessed roof wells and/or use of the building parapets. *PPP AESTH-5 (OSA PEIR MMRP Aesthetics Mechanical Equipment Standard Conditions of Approval ME2)* (PLNG \_\_\_\_\_)
193. The developer shall submit a letter of certification to the Director of Development Services from the project architect and civil engineer certifying that all improvements have been constructed in accordance with the approved building plans. Determination of consistency shall be subject to the review and approval of the Director of Development

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Services.

(PLNG \_\_\_\_)

### **SIGNAGE**

194. Prior to the installation of any permanent sign, the developer shall obtain approval of a Planned Sign Program for all subdivision identification signage, as well as signage associated with individual developments. The Sign Program shall ensure a consistent appearance and theme for signage within the development and shall be in accordance with the Area Plan, Baker Ranch Planned Community Text, and Zoning Ordinance regulations. (PLNG \_\_\_\_)
195. A minimum of a 15-foot corner cut-off for clear sight triangles shall be maintained at all driveways. Final sign location shall be subject to approval by the Director of Development Services after consultation with the City's Traffic Engineering Manager. (PW/ENG\_\_\_\_) (PLNG \_\_\_\_)

### **AT ALL TIMES**

196. Maintenance responsibilities shall be as detailed in Table 11-1 of Chapter 11 of the Area Plan.
197. All landscaping shall be maintained in a healthy and living condition. If necessary, plants shall be replaced in a manner that is consistent with the approved landscape plans. Landscaping shall be irrigated and all irrigation systems shall be maintained in good working order.
198. The developer shall comply with the following regulatory permits and associated conditions in addition to requirements contained in this resolution.
- Section 404 Individual Permit (Issued 8/13/2010)
  - Consistency Determination regarding Least Bell's Vireo (Issued August 11, 2010)
  - Streambed Alteration Agreement 1602 (Issued August 6, 2010)
  - Section 401 Certification (Issued July 1, 2010)
  - Section 7 Biological Opinion (Issued July 6, 2010)

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PASSED, APPROVED AND ADOPTED this 15th day of May, 2012 by the following vote, to wit:

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KATHRYN MCCULLOUGH  
MAYOR

ATTEST:

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STEPHANIE D. SMITH, CMC  
CITY CLERK

APPROVED AS TO FORM:

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SCOTT C. SMITH  
CITY ATTORNEY

STATE OF CALIFORNIA       )  
COUNTY OF ORANGE       ) SS  
CITY OF LAKE FOREST       )

I, Stephanie D. Smith, City Clerk of the City of Lake Forest, California, do hereby certify that the foregoing Resolution No. \_\_ was duly passed and adopted at a regular meeting of the Lake Forest City Council on the 15th day of May, 2012 by the following vote, to wit:

AYES:       COUNCIL MEMBERS:  
NOES:       COUNCIL MEMBERS:  
ABSENT:     COUNCIL MEMBERS:  
ABSTAIN:    COUNCIL MEMBERS:

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STEPHANIE D. SMITH, CMC  
CITY CLERK

Stephanie D Smith  
STEPHANIE D. SMITH, CMC  
CITY CLERK

  
SCOTT C. SMITH  
CITY ATTORNEY

I, Stephanie Smith, City Clerk of the City of Lake Forest, California, do hereby certify that the foregoing Resolution No. 2012-35 was duly passed and adopted at a regular meeting of the Lake Forest City Council on the 15th day of May 2012 by the following vote, to wit:

AYES: COUNCIL MEMBERS: HERZOG, MCCULLOUGH, RUDOLPH,  
TETTEMER, VOIGTS

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: NONE

ABSTAIN: COUNCIL MEMBERS: NONE

Stephanie D. Smith  
STEPHANIE D. SMITH, CMC  
CITY CLERK